

EXTENSIONS OF REMARKS

REFORM OF THE COMMUNICATIONS SATELLITE COMPETITION AND PRIVATIZATION ACT

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. TAUZIN. Mr. Speaker, when I last addressed the House concerning H.R. 3261, at Chairman BLILEY's request, I read his statement into the CONGRESSIONAL RECORD. Due to my long legislative history in issues relating to the satellite industry, I believe it is necessary for me to provide some additional views as the House and Senate prepare to begin a conference aimed at reconciling differences between their respective bills.

The Communications Satellite Competition and Privatization Act of 1999 is an important step forward in Congress' efforts to update the Communications Satellite Act of 1962 (1962 Act). I wish to acknowledge the efforts of Chairman BLILEY in reaching out to members of the Telecommunications Subcommittee to address important issues and advance the legislative process.

Mr. Speaker, reform of the 1962 Act is vitally necessary, as technological innovation and marketplace competition has dramatically changed the satellite industry over the past 30 years. Indeed, the arrival and rapid advance of undersea and underground fiber-optic cable systems has forced the industry to move beyond what many policymakers have thought to be its only role: universally providing telecommunications services to broad audiences. While the industry will certainly continue to lead efforts to develop new markets, satellites are now highly sought after to provide the capacity and redundancy necessary to continue the explosion in telecommunications usage, data transmission, and e-commerce. In other words, we have now learned that not only are cable systems unable and, in some cases, unwilling to reach everyone, they may not be able to service everyone.

As the landscape of the marketplace continues to change more cable and satellite systems find themselves in direct competition for customers, and we have been forced to reconsider our assumptions regarding the average satellite services user. No longer are these users simply interested in access to services; satellite customers want exactly what other telecommunications customers want. They want choice in the marketplace. They want the option of different transmission systems. They want broadband services over the Internet. They want high quality and highly dependable services. And they want it now.

This change in consumer demand, coupled with the exponential increase in Internet usage, interactive data and direct-to-home satellite services fuels much of the growth in the satellite services industry today. The result is a dynamic and highly competitive marketplace. How competitive? One need look no further than the chapter 11 filings of Iridium and ICO

to understand that you won't be around long in this business if you're only resting on your laurels.

Mr. Speaker, I believe we can make this market even better for consumers. As the conference committee moves forward, we need to ensure that legislation intending to direct the future of the satellite industry is consistent with current economics, and that it recognizes the enormous strides toward full, free and private competition that are already underway. We need to ensure that a wide range of issues are addressed in a manner that fosters even more competition, and that Congress enacts balanced legislation which offers all companies in the satellite services industry a level playing field.

I want to specifically commend Chairman BLILEY for working to improve upon H.R. 1872 in several important areas. I am particularly gratified that the House legislation has effectively ensured that private contracts negotiated between entities are safeguarded and not subject to manipulation as a result of new legislation.

We also need to be sensitive to the fact that this bill is necessary to accommodate a commercial transaction between two companies that have already received regulatory approval for their merger. In this regard we should work to ensure that any action of the Congress should not diminish the value of current investments or ongoing business activities.

We should also ensure that no single competitor in the satellite services industry is advantaged or disadvantaged by our actions. In our effort to create a more dynamic marketplace, we should endeavor ourselves to provide even more consumer choice. Any limitation on services that any one company would offer should be seen as an outcome that reduces consumer choice. As I said previously, at a time when demand for Internet and other broadband services are driving growth across the telecommunications industry, it would be terribly ironic if an action of the Congress actually limited choice in the satellite market.

I am optimistic that we will produce legislation in the conference committee that is genuinely pro-competitive and offers customers around the world more choices. I look forward to working with Chairman BLILEY and Senator BURNS to produce legislation that meets these objectives.

TRIBUTE TO MANUEL MONTOTOYA

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. UDALL of New Mexico. Mr. Speaker, it makes me very proud to rise before the House of Representatives to recognize Manuel Montoya from Mora, NM. Just a few weeks ago Manuel began his studies at Oxford, England as a Rhodes Scholar. Manuel is a graduate of the University of New Mexico and is one of

only 32 students nationwide to earn the much coveted scholarship named in honor of philanthropist Cecil Rhodes. And just last year Manuel also earned the distinguished Truman Scholarship. I want to recognize Manuel for bringing honor to his family, his community and to New Mexico.

Manuel was born and raised in Rainsville, in the County of Mora. He lost his father at an early age. Through his faith and his gifts, he has turned tragedy into inspiration and misfortune into strength, both for himself and for those around him. The County of Mora is one of the most economically disadvantaged counties in our country. The county confronts all of the challenges that affect rural America today. Although stricken by poverty, Mora is one of the wealthiest counties in spirit in our country, rich in culture and history with its Hispanic Heritage, rich in beauty with its mountains, valleys and rivers, rich in people that place the highest value on family, honor and respect. And Mora is rich in faith and rich in hope. The best of Mora is personified in Manuel Montoya and he has made our State and his community very proud.

On behalf of all New Mexicans I want him to know that he is in our thoughts and we look forward to his many successes. Manuel, La Gente de Mora y de Nuevo Mexico estan Contigo.

Thank you Mr. Speaker, I ask that a copy of the newspaper article recognizing Manuel's accomplishments also be placed in the RECORD.

[From the Santa Fe New Mexican, Dec. 8, 1999]

MORA NATIVE WINS RHODES SCHOLARSHIP
(By Kim Baca)

As a boy, Manuel-Julian Rudolfo Montoya of Mora wrote stories about his father—his favorite hero next to Batman.

In his stories, his father helped him and the family. Montoya was 7 when his father died, but the child never forgot the things his father taught him—especially things about trust, honor and leadership.

It may be those things that helped the 21-year-old University of New Mexico senior become one of 32 American students named a Rhodes scholar Saturday.

"I am not proud of the accomplishment, but what it means to all those people that helped me get there," Montoya said. "This is by no means my scholarship; it belongs to a lot of people—to my family, to my friends, my community. It belongs to UNM and everybody has the right to celebrate that."

The prestigious scholarship program was created in 1902 by British philanthropist and colonial pioneer Cecil J. Rhodes to help students from English colonies and the United States attend Oxford University in England for two or three years.

The scholarship, which pays all college and university fees, is one of the oldest international study awards available to students.

Montoya, a 1995 Mora High School graduate, has a long list of achievements. After graduating as valedictorian, he was awarded the Regents Scholarship, a four-year grant given to New Mexico's highest achievers. While in college, the English and economics double major helped establish a rural honors

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

program for high school students in honor of his father.

Earlier this year, he was named a Truman Scholar—a national scholarship project named after President Harry S. Truman and given to college juniors who have extensive records of public service and outstanding leadership potential.

After he was awarded the Truman scholarship, his advisers in the honors program at UNM encouraged him to apply for the Rhodes program.

Rebecca Vigil, Montoya's English teacher at Mora High School, said news of the scholarship comes as no surprise to her.

"He has always been dedicated and committed. I always thought he would succeed," she said. "It's great that he has received this honor, not just for him but the entire community."

Mary Lou Sanchez, a guidance counselor for Mora schools, also remembers Montoya as an exceptional student.

"His written and verbal communication was always outstanding," she said. "He has always been a leader."

In addition to playing pool, guitar and writing poetry, Montoya is also helping build a museum in Mora. The museum will contain the history and genealogy of Mora residents.

Montoya's mother Mary Louise Montoya, said her son has always been a quick learner. His first language was Spanish, but he learned English immediately.

"He was a lector at our church at the age of 7," she said. "He taught a confirmation class when he was still in high school."

Montoya is one of a dozen Rhodes scholars residing in New Mexico. The last person to receive a Rhodes scholarship at UNM was in the 1970s.

In September, Montoya will leave for England and study law. After his term at Oxford, Montoya plans to go to Stanford University law school.

"It's my dream to become a litigator and provide legal services for the underprivileged," he said. Montoya would also like to create a think tank to study public policy.

[From the Santa Fe New Mexican]

THE BEST AND THE BRIGHTEST
(By Monica Soto)

MORA—The Mora River rises in the Rincon Range, east of the Sangre de Cristo Mountains, and flows to the west and to the south until it fuses with the Canadian River north of Sabinoso.

Generations of families have lived and died near the river. This is where Manuel-Julian Rudolpho Montoya, the Rhodes Scholar, was born.

His story, his journey, is simple really. It begins and it ends in Mora, a place too beautiful for words, where the most brilliant flowers bloom in the muddiest of waters.

Montoya, 22, stands in a field and stares at his birth home. The gray A-frame house is empty; it has been for a long time.

The wind rushes past him, and he sees images of his father, Rudy William Montoya, washing the family's 1972 Plymouth Duster and of his mother, Mary Louise, cooking dinner. He sees the forbidden cookie jar atop the highest kitchen shelf. He closes his eyes and smiles.

"I've come realize this as the turning point in my life because it meant a harder life for me," he says, then pauses. "Why live life if it's not hard? I seek the virtues."

Montoya, who graduated last month from The University of New Mexico with degrees in English and economics, leaves Sept. 25 for Oxford University, the first UNM student to be named a Rhodes Scholar since 1978. Montoya last year was named a Truman Scholar,

a distinction bestowed upon college juniors who have extensive records of public service and outstanding leadership potential.

If Montoya represents the future of New Mexico, then he wants his home-town of Mora to be celebrated for this gift. It is the place where he experienced unconditional love, punctuated by deep pain, where he gained the wisdom to know that his experiences, both good and bad, have shaped him into a worthy man.

Montoya was born Dec. 9, 1976, but his story begins a generation before that.

Mary Louise Martinez was born Feb. 12, 1953, to Francisco and Dolores Martinez in Mora. Rudy William Montoya was born Oct. 2, 1953, to Ambrosio and Celena Montoya in Rainsville, 10 minutes away.

For the first 15 years of their lives, the two never crossed paths. Then on a spring day, halfway through adolescence, Rudy William Montoya and Mary Louise Martinez attended the same eighth-grade picnic in the Tres Ritos area, near the river.

Mary Louise didn't know how to swim. And she knew what happened at these types of functions. Someone always got flung in the river. This time it was her.

Her classmates must have thought she was joking when she started to scream for help. She panicked and went under water. Rudy William jumped in the river. He saved her life.

Both were freezing when they emerged from the frigid waters. Mary Louise had brought a beach towel to the picnic. They wrapped themselves in it and sat on a log, beneath a tree.

"Really shyly, he got my hand and he held it," she remembers. "That was the start."

Mary Louise and Rudy William went to every basketball game, every dance together from their freshman through senior years. They graduated from Mora High School in 1972. They were married the following August.

Manuel was the first born. Francisco followed four years later on April 12, 1981. Rudy William Louis, the baby, was born Dec. 22, 1984.

The elder Rudy William was a hard-working man with a gentle soul, a man who had grand dreams for his family. The heavy-equipment operator planned to build a split-level house in Rainsville on property he and Mary Louise inherited from the Montoya family.

Rudy William already had begun digging the trenches to lay the foundation of the house when on April 17, 1984, he responded to a call for help and was shot. He died a day later.

Mary Louise says the events surrounding her husband's death are things that are still too painful to discuss, only to say that he was "an innocent victim to a violent crime. He had no idea what he was walking into."

She can still remember how Montoya, just this little boy, walked around the house and prayed fervently in every room the day his father died. And the moment at which Montoya became a man.

The family held the funeral in Rainsville. When the casket opened, when Montoya first laid eyes upon his father, he didn't cry. Rather he clasped his hands together and incanted The Lord's Prayer, very clearly, very loudly.

After her husband's death, Mary Louise says she did everything she could so Montoya didn't have to feel like he was the man of the house, but that "he took on a lot of responsibility within himself."

Montoya's patriarchal role was, in ways, inevitable. Montoya's younger brothers went to him for guidance and advice. He fixed their problems the way he imagined his father would.

Montoya had numerous uncles to draw guidance from. He was nevertheless painfully aware that his own father was, in his words, "a guardian angel now."

He spoke of his struggles once to a group of peers at a student government conference. He modeled his speech after the words of Martin Luther King Jr. "I speak of the trials in my life not to gain your sympathy, but to gain your understanding."

Montoya says his father's death and the struggles he went through as a result pushed him to excel in ways that he felt would honor his father's memory.

"I love his memory more than anything in this world," he says. "It compels me every day."

As a single parent, Mary Louise doesn't describe her life with her three sons as one in which she played dual roles as mother and father. They leaned a lot on both the Martinez and Montoya families—people whom she refers to as "very special."

The dynamics of her own family was such that every son—Montoya, Francisco, and Rudy William—played an integral role in keeping the family together.

Mary Louise says all four of them made decisions on the finances and even discussed emotional issues. When she decided to return to school to receive an associate's degree, all four of the family members studied together.

"It took the four of us to do what we've done," she says. "It took the four of us to pull together."

It's been 15 years now. Sometimes it seems like yesterday.

"I remember somebody asked me one time how I felt," she says. "I always wondered, how are you supposed to answer that? But I did real truthfully saying, 'I feel like I'm cut in half. I'm missing half of me. And it's not crosswise, it's lengthwise.'"

"We truly were one, and that's how it's always going to be."

A PROMISING YOUTH

Montoya always had shown promise. He learned both English and Spanish at an early age but preferred to speak Spanish before he began school. Neighbors would traipse into his grandmother's house to watch him stand on the coffee table, with his little guitar, and sing Spanish church hymns.

"I can remember he was a voracious reader," says Quirinita Martinez, his third-grade teacher. "He could read and read and read."

By the time Montoya was in high school, he understood clearly the educational opportunities he missed growing up in a rural community. His high school did not offer calculus or an honors English program because of the lack of demand. His school library did not carry Machiavelli's *The Prince* or Aristotle's *Ethics* as standard texts.

The more people held Montoya up as an anomaly, the more he believed that he was no different than his peers.

"I saw them struggling through a system where they said, 'If you don't do this or that, you're a loser,'" he says. "That's unacceptable to me."

In college, Montoya spent a summer writing a proposal to the Mora School Board that would implement a general honors program at the high school. The program would set up independent studies for students who had exhausted the school district's traditional options.

Montoya wrote in his proposal that an instructor would craft semester-long lesson plans for each student. A student who enrolled in a class on contemporary, moral and ethical issues, for instance, would read books such as Mary Shelley's *Frankenstein* to gain insight into such issues as "euthanasia, genetic cloning, chemical testing on animals and humans, freedom-of-speech issues and

hate crime." He included a 40-page economic analysis.

The school board signed the proposal in August 1997. The board later rescinded the program because it could not fund an instructor to oversee it, Montoya says.

Montoya says he was disappointed by the outcome, but that he has not given up on his project.

"Next time I'm going to have everything ready to go," he says. "No questions, no doubts."

Montoya also has worked diligently on another long-term project—to build an archive and museum that would house the town's family and cultural histories. He envisions a Plaza where the community could gather; Mora no longer has one.

Montoya, who has been accepted to Stanford Law School, says he also dreams of the day when each person is appreciated for his or her potential, when his brothers are held up for their talents, just as he has been celebrated for his.

"One time, my grandfather made a china cabinet with no nails, structurally sound," he says. "My brother (Francisco) can do that. It's something that I envy in him. The time hasn't come where they say that this is just as beautiful as being a Rhodes Scholar, and that bothers me."

Toby Duran, director for the Center for Regional Studies and the Center for Southwest Research at UNM, worked with Montoya on the museum proposal. Duran says that one of the first things they discussed was Montoya's dream of becoming a United States Supreme Court Justice.

"I was impressed by his boldness," says Duran, who gave Montoya a fellowship that enabled him to spend time preparing his Rhodes Scholar application. "He has a way of feeling for things and for people, but in addition to that, he uses reason. He's able to balance that very well."

Friends and family, those who have influenced Montoya, say that despite his rigorous intellect, he is stripped of pretension. Montoya's dream is to return to Mora and practice law with his closest confidant, Cyrus Martinez, also a Mora High School graduate.

The Rev. Tim Martinez, who was once a pastor in Mora, explains it this way:

"For a lot of people that grow up in rural communities, they have to leave before they realize the value of their upbringing," he says. "He realized the value long before he left his community. He carries that with him, always."

A DATE AT THE WHITE HOUSE

Montoya will participate in a White House ceremony before he leaves to study jurisprudence philosophy in England. He will meet President Clinton and members of the U.S. Supreme Court.

Even then, Montoya says he will be "the farm boy from Mora making messes in my mother's kitchen." And for that, he is immensely proud.

"I don't learn things without them being fixed in human experience," he says. "The facts can exist without human experience, but the truth cannot."

The truth, Montoya says, is that he is a culmination of many lives and many lessons, the embodiment of a town. He is his uncle, the Vietnam veteran and his Godmother, a shy and humble woman; he is his father, hardworking and unapologetic, and the viejo who plants a tree at the chapel each year.

He is also a man, now—one who has made it his life's mission not to allow his people to lose hope.

"If you don't surrender to your community, you will never unify what you have inside of you," he says. "It's indescribable. It's a healing that I have yet to comprehend."

ADDRESSING A GENERATION

Manuel-Julian Rudolpho Montoya's speech for The University of New Mexico's general commencement ceremony in May:

What then, I ask myself, shall we do this fine morning? How will we give praise to our education and our light?

I say we shout.

Shout in honor of the gathering. Give praise to your talents and those who lay hands on that talent. Form a song, without words and without beat save the rhythm of the many standing alongside you. Hear the rhyme of one language in unison as we shout in shades of Black, Yellow, Brown, White and Red. Shout in colors, shout in creeds. Shout in praise of the legacies that brought you here. Shout difference! Shout unity! And remember that they do not betray each other, they simply approach your soul from one end to the other.

Dance.

Dance in honor of your celebration. Give substances to the presence of our smiles and our laughter. In our dancing, let us love the greatness of this day, for it is a day that we recognize the trials of wisdom and knowledge brought to bear upon our very souls.

Cry.

Cry in honor of your suffering. Give it a voice so that it may surrender to the echoes of healing among our communities. Give it to the ignorant, so they may have heard that pain of their brothers and sisters.

Fight.

Fight with your minds. Gather your faculties in honor of the shouting, the dancing and the crying. Give them reason for existing. Validate them. Look to your minds and recognize the great unifier within you. Reconcile your pain with the promise of a better day because you fought with your mind. Know that you have learned all you can so that one day learning can take its place in the symphony of change.

Fight with your heart. Fight with kindness and do not relent when the wits of the many sway against the singular revolt of your heart. Cherish your passion and let it bleed for your neighbor. In this lies the hand that picks up our enemies and cares for them.

Let us now be called forth and have our names announced to the community. Call my name, for in it you evoke the legacy of my grandmothers and grandfathers. My beloved father and mother. My brothers. My friends. My family. My happiness and strength. Let it be called because our name shall ring the truth of my veneration for my community. Mora, New Mexico. Mi tierra y mi vida.

Let us call the names of our graduates. Let their names ring forever in the past. So today, as we call names and hand diplomas, let us celebrate the world that lives alive and well within us.

Bless you all.

CREDIT CARD CONSUMER PROTECTION ACT

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Ms. HOOLEY of Oregon. Mr. Speaker, credit card late fees are becoming an increasing burden on consumers. More and more of my constituents are telling me that credit card companies are charging them \$30 late fees when they shouldn't be. I believe some companies are abusing their ability to charge late fees. In fact, just recently, First USA, a com-

pany that has millions of customers, was caught charging its customers late fees regardless of when they sent their payment in. (ABC News, Nightline: "Let the Borrower Beware." August 31st, 1999).

In addition, many companies are shortening grace periods and imposing early morning deadlines for when a payment is due. One of the worst things they are doing is sending bills out just a few days before they're due, which makes it very difficult to get the payment in on time.

Obviously, these practices do not help credit card customers maintain good credit ratings. Additionally, these practices can cost customers hundreds of dollars in charges each year. In order to address some of the problems that people are encountering with late fees, today I am introducing the "Credit Card Customers Protection Act of 1999." This legislation would require credit card companies charging late fees to clearly disclose a date by which if your payment is postmarked, it cannot be considered late. Right now, most companies charge you based on when your payment arrives. But with passage of this legislation, if you mail your credit card payment in before the postmark date, you'll be okay.

This is similar to what the IRS does with your tax return. Regardless of when your return arrives at the IRS, if it is postmarked by April 15, it is not late. To me, this makes perfect sense, since we do not control the internal bill collecting processes of the credit card companies, nor do we want to. And we do not control the time it takes for a letter to be delivered.

This bill will put the balance of power back into the hands of credit card customers. I ask my colleagues for their support for this important legislation.

JOHN G. SHEDD AQUARIUM CELEBRATES THE BIRTH OF A BELUGA WHALE

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. DAVIS of Illinois. Mr. Speaker, I am pleased to recognize the John G. Shedd Aquarium in Chicago as they celebrate the birth of a beluga whale. On August 3rd, a 4-foot-6-inch female calf was born weighing approximately 115 pounds. This is the first calf for Immiayuk, a 13-year-old beluga whale who has been in Shedd Aquarium's care since 1989.

Immiayuk is a first-time mother, and less than half of the calves born to those mothers, either in captivity or in the wild, are able to survive their first year. The new beluga has cleared many of the first hurdles, by swimming, diving and nursing with her mother. Shedd visitors will be able to see the calf in an underwater viewing area in late September. A contest to name the calf will be held for children ages 8 to 13.

The belugas reside in the Shedd's Oceanarium, a re-creation of the Pacific Northwest. Throughout the Oceanarium, large underwater viewing windows give Shedd visitors the opportunity to see the animals from the vantage point of their environment. Whales, dolphins, sea otters, harbor seals and penguins are some of the marine life on display.

The birth of the beluga is a milestone for the Shedd because the Oceanarium was built for the purpose of breeding marine mammals. The knowledge gained from the birth will provide Shedd staff with a better understanding of belugas and in turn that information will be used to help educate the public and contribute to the conservation of wild populations.

The birth of the beluga also is significant to the general beluga population as the National Marine Fisheries Service plans to list the beluga whales in Alaska's Cook Inlet as a depleted population. The 1998 Cook Inlet beluga census, counted 347. In 1994, about 675 belugas were counted; it is believed that 1,000 whales were in the inlet in 1980.

Mr. Speaker, please join me in congratulating the John G. Shedd Aquarium on the successful birth and continued health of Immiayuk's beluga calf.

INTRODUCTION OF THE SMALL BUSINESS TELECOMMUTING ACT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. UDALL of Colorado. Mr. Speaker, today, I am introducing the Small Business Telecommuting Act, a bill designed to raise awareness about telecommuting among small business employers and to encourage employers to offer telecommuting options to their employees.

In many areas of this country urban sprawl and traffic congestion are growing at alarming rates. Telecommuting surely is part of the answer to reducing traffic congestion and air pollution.

Mr. Speaker, telecommuting has many positive bi-products to which I would like to draw my colleagues' attention.

Traffic congestion: telecommuting could reduce peak commuter traffic, thereby reducing traffic congestion and air pollution.

Family wellness: telecommuting benefits the health of our communities by giving workers more time to spend with their families.

Employee productivity: studies have shown that telecommuting increases both employee productivity and morale, which in turn helps the business bottom line.

This legislation will direct the Administrator of the Small Business Administration to conduct a pilot program to raise awareness about telecommuting among small business employers. Telecommuting is quickly becoming a standard business practice. High-tech industries have employed telecommuting with great success for many years. In addition, the Federal Government has embraced telecommuting as well. This legislation will encourage and aid our nation's small business owners to embrace telecommuting.

Telecommuting in the small business community is a critically important tool, because it would allow small employers to retain valued employees with irreplaceable skills and institutional memory when their lives no longer allow them to be in the office daily.

Mr. Speaker, all around us we see remarkable strides being made in the use of technology to improve our quality of life and allow us to work more efficiently. I believe the Small Business Telecommuting Act will allow our na-

tion's small business owners to also reap the benefits of these technological strides.

H.R. 2, THE STUDENTS RESULTS ACT

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. GONZALEZ. Mr. Speaker, on October 21, 1999, the U.S. House of Representatives overwhelmingly passed H.R. 2, the Students Results Act, which reauthorized funding for Title I of the Elementary and Secondary Education Act. Title I provides funding to local education agencies to help educationally disadvantaged children learn the core subjects, like math and reading, and authorizes other programs to assist low-achieving students. Last revised by the Improving America's Schools Act of 1994, Title I is the largest federal elementary and secondary education grant program.

In general terms, H.R. 2 was a good bill. It provided a billion dollar increase in Title I funding, focused on holding Title I students to the same high academic standards as all students, targeted funds to the poorest communities, and it improved accountability measures. In addition H.R. 2 addressed the quality of instruction in Title I classrooms by requiring certification for all teachers and strengthening professional development opportunities.

Unfortunately, H.R. 2 also included the "Parental Notification and Consent for English Language Learners" provision. In my opinion, the "Parental Notification and Consent" language in H.R. 2 was unfair at best and discriminatory at worst. The provision would at minimum have an unjust and disproportionate impact on limited English proficient (LEP) students, of which over 70% are Hispanic.

Schools provide LEP children the necessary language support services to ensure high academic standards in addition to developing their ability to speak, read and write English. However, the proposed "Parental Notification and Consent" requirements would unjustly prohibit schools from providing services until parents provide consent or until the school meets the mandatory requirement to build a written record of attempting to obtain parental consent.

While I do not presume to know why each of those who voted against H.R. 2 did so, I believe that in the case of the Democrats, that decision was based, at least in part, on concerns regarding the "Parental Notification and Consent" provision. It was apparent to me, and likely to others, that this provision potentially violates Title VI of the Civil Rights Act of 1964, which guarantees access to equal educational opportunities for LEP students.

As a parent, I must stress that I fully support and encourage enhanced parental involvement in schools and increased parental participation in their children's education. Nevertheless, I am convinced that this legislation, in its ill-advised attempt to include parental consent as part of Title I, will instead result in discriminatory practices and in limited resources being focused on bureaucratic requirements rather than on educational programs.

I did not easily arrive at my decision to oppose H.R. 2 and to make a statement regard-

ing its potentially discriminatory effect on a limited group of students. In the end though, I could not vote to validate legislation that would result in isolating LEP students for different treatment than is applied to any other group of students, while denying access for millions to important Title I educational services.

HONORING MEGAN CHARLOP

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. ENGEL. Mr. Speaker, today I rise to honor Megan Charlop, who has been chosen as a Robert Wood Johnson Community Health Leader for 1999. Each year, the Community Health Leadership Program honors ten individuals who overcome tremendous odds to expand access to health care and social services to underserved populations in their communities. This year, the program has selected Ms. Charlop for her work as the Director of the Montefiore Medical Center Lead Poisoning Prevention Project in the Bronx.

While working as a housing organizer in the 1970's Megan unwittingly exposed herself and her fetus to lead dust and became poisoned. In the early 1980's, she organized a building in deteriorating condition where the children had become lead poisoned. As a result of these experiences Megan founded the Lead Poisoning Prevention Project in 1983.

As Director of the Project, Megan has diligently advocated for resources to create the Lead Safe House, which provides transitional housing for lead poisoned children and their families while their homes are undergoing abatement. Megan also co-founded the New York City Coalition to End Childhood Lead Poisoning, bringing together environmentalists, labor groups, social service and health providers, and parents to tackle the issues related to lead poisoning prevention. Her work with lead poisoning prevention in New York City has become a model for the nation.

And her work does not stop there. Recently, Megan has launched community health initiatives for other environmentally triggered diseases such as asthma and mercury using the model she developed for lead prevention.

Mr. Speaker, I am thrilled to recognize Megan Charlop as a 1999 Community Health Leader and I commend her for tremendous efforts to improve the health of her community and for her true leadership in the fight against lead poisoning.

TRIBUTE TO CHRIS WEAVER

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. MCINNIS. Mr. Speaker, it is with profound sadness that I now rise to pay tribute to the life of a friend and great civic leader, Chris Weaver. Sadly, the world lost Chris earlier this month when he died of an apparent heart attack. While mourning the passing of this great American, I would like to take this opportunity to honor the esteemed life of this great American.

A dyed-in-the-wool Republican his whole life, Chris left an indelible mark on the Pueblo community as a city councilman. As an at-large council member, Weaver was widely acclaimed for his leadership and vision on a wide range of issues, including HARP, the Pueblo Convention Center, and increased benefits for retired firemen. In his time on the council, Chris served with great distinction leaving a lasting legacy that will long benefit Pueblo.

At age 6, Chris moved to Pueblo with his parents, the late Dr. John Weaver and his wife Frances, from Concordia, Kansas. Following his graduation from Centennial High School in 1966, Chris studied briefly at the Colorado School of Mines and later transferred to the University of Southern Colorado where he graduated in 1982.

A certified public accountant, Chris was an active member in the Kiwanis Club, the Private Industry Council, and the National Association of Accountants.

I am hopeful that Chris' family—including his wife Mary, his children Andrew, Donald, and Jennifer, his mother Frances, and his siblings Ross, Matthew and Allison Swift—will all find solace in the remarkable life that he led. Indeed, like myself and the many others that counted him a friend, Chris' family should find peace in the knowledge each is a better person for having known him.

THE EMERGENCY FOOD ASSISTANCE ENHANCEMENT ACT OF 1999

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. GOODLATTE. Mr. Speaker, I rise today to introduce the Emergency Food Assistance Enhancement Act of 1999. My bill increases TEFAP commodity purchases from \$100 million to \$125 million in an attempt to help food banks meet the needs of their communities.

It is unfortunate, Mr. Speaker, that there is a need for food banks. Even though our farmers and ranchers are the most productive and efficient in the world, the need for food banks continues. Food banks often meet the needs of their communities by managing donations from the Government and the private sector. Most Government donations are the product of the Emergency Food Assistance Program. It is a unique program that has the ability to provide nutritious domestic agriculture products to needy Americans while at the same time providing support to the agriculture community. In the welfare reform bill, Congress made TEFAP commodity purchases mandatory because of the integral role this program has in the provisions of food assistance to needy families.

This program is a quick fix, something to get families through tough times. It gives them the support they need, but it doesn't ensnare them into a cycle of dependency for which other Federal assistance programs are infamous. TEFAP purchases also provide much needed support to the agriculture community. While other food assistance programs are much larger, TEFAP has a more direct impact for agriculture producers, while at the same time providing food for those in need.

The Balanced Budget Act of 1997 included hundreds of millions of dollars for Employment

and Training Program aimed at those able bodied adults without dependents (ABAWD) whose eligibility for the Food Stamp Program was restricted by a work requirement in the Welfare Reform Act of 1996. The money is dedicated to training programs that keep any ABAWD on the food stamp rolls if they participate. Several hearings and reports have said that the money is going unspent because very few are taking advantage of the programs. At the same time, food banks are reporting an increase in demand from the same demographic group.

Why not put the money where the need is? Annually the Secretary reviews the States employment and training programs and allocates the money he considers appropriate and equitable. If a State doesn't use the money allocated to them, the Secretary can reallocate the money to another State. My bill does nothing to change or restrict that authority. My bill simply allows the Secretary of Agriculture to spend up to \$25 million of unobligated employment and training money on TEFAP commodity purchases.

Mr. Speaker, I am hopeful that the Emergency Food Assistance Enhancement Act will enjoy resounding and rapid support from the full House of Representatives. It is important that we increase commodity purchases for this important program.

TRIBUTE TO MS. JILL COCHRAN

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. QUINN. Mr. Speaker, I want to join Chairman STUMP and Ranking Member EVANS in acknowledging and saying thank you to Ms. Jill Cochran, long-time Democratic staff director for the Subcommittee on Benefits, who will retire next month following 25 years of dedicated service to the Committee on Veterans' Affairs.

Jill's contributions to the enactment of legislation such as the Montgomery GI bill, on which she worked with our distinguished former chairman for 7 years, vocational rehabilitation, veterans employment and training, homeless veterans, and transition assistance issues—just to name a few—I believe, are unsurpassed.

Jill personifies unselfish public service in her commitment to America's sons and Daughters who have served our Nation. We'll miss her compassion, her great spirit of cooperation, her expertise, and most of all—her exceptional leadership.

Jill, our kindest wishes and godspeed.

IN HONOR OF JOHN A. KAY

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. UDALL of New Mexico. Mr. Speaker, today I rise to honor the life and memory of a great American, Mr. John Kay. John was a constituent of mine from Rio Rancho, NM, who passed away in October. He was a personal friend and a strong advocate for vet-

erans, John had a very distinguished career, having retired from both the U.S. Army and the Central Intelligence Agency. He loved our country and was very proud to have dedicated his life to serving it.

During his military service, John served with distinction in WWII and in the Korean conflict. In recalling his own military career, he was very proud of his service during WWII where he served with the infamous 9th Reconnaissance troop of the 9th Infantry Division. A unit that fought courageously in virtually every major campaign of the European theater.

What made John so special was his open hearted and generous nature. After his retirement from the CIA, he dedicated himself to informing his fellow veterans about the issues important to them. Specifically, he was the author of a monthly column in a local newspaper dedicated to helping veterans.

Mr. Speaker, John Kay was a true gentleman who constantly searched for new proposals and reforms in an attempt to help his community. He was always open minded and he was always generous in his assistance to others. He will be sorely missed by myself and by his community.

ADLER PLANETARIUM AND THE MARS MILLENNIUM PROJECT

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. DAVIS of Illinois. Mr. Speaker, I am very pleased to recognize one of Chicago's premier institutions, the Adler Planetarium and Astronomy Museum, as they kick-off their contribution to the Mars Millennium Project and celebrate the grand reopening of their landmark building on October 1st.

Located on Chicago's beautiful lakefront, the Adler was founded in 1930 by Max Adler "to be the foremost institution for the interpretation of the exploration of the Universe to the broadest possible audience." To help fulfill this mission, the Adler has become actively involved in the Mars Millennium Project using its StarRider™ Theater Mars Millennium Show as the centerpiece of their contribution.

The Mars Millennium Project is an official White House Millennium Council Youth Initiative, challenging students across the nation to design a community yet-to-be-imagined—for the planet Mars. This national arts, sciences and technology education initiative is guided by the U.S. Department of Education, the National Aeronautics and Space Administration and its Jet Propulsion Lab, the National Endowment for the Arts, the J. Paul Getty and others.

The world's first StarRider™ Theater is a 3D interactive virtual reality experience, which will transport visitors on a voyage to Mars and allows the audience to participate in developing a viable Martian colony. The audience flies over Mars, picks a place for their colony and then designs the architecture, cultural icons and symbols that will make the colony unique.

The Adler is working with the Illinois State Board of Education and the Chicago Public Schools Teachers Academy for Professional Development to involve classrooms from across Illinois in the Mars Millennium Project.

Throughout the project year, teachers will engage their students in project-based learning opportunities that will result in the development of student-created Mars colonies and Web pages.

Mr. Speaker, as we move into the Millennium it is important to engage the public in science and technology. The Adler's work with the Mars Millennium Program through the StarRider™ Theater and the reopening of their historic dome marks the advent of new era for the Adler Planetarium and Astronomy Museum.

CENTER FOR HUMAN RIGHTS
ADVOCACY

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. UDALL of Colorado. Mr. Speaker, for the past decade, the Center for Human Rights Advocacy (CHRA), a public interest law firm based in my congressional district, has been monitoring and analyzing social, economic, political, and ethnic problems and anti-Semitic activities in Russia and the former Soviet Union. The organization's President and Chief Counsel, Mr. William Cohen, is frequently called upon in the United States, Canada, and the United Kingdom to provide expert information and testimony pertaining to human rights and anti-Semitism in Russia and the former Soviet Union. Mr. Cohen also serves on the board of the executive committee of the Union of Councils for Soviet Jews.

The primary focus of Mr. Cohen's advocacy "is to make sure the doors remain open for Jews and all persecuted minorities." His recent report, "The Escalation of Anti-Semitic Violence in Russia," demonstrates the level of danger facing Russian Jews in light of the increased frequency of anti-Semitic activity.

The report documents the chronology of the latest anti-Semitic events in Russia and the former Soviet Union. Much of this information has never been reported in the media. Mr. Cohen has gleaned most of this information from clients seeking asylum or refugee status.

Following is the summary of Mr. Cohen's report. I urge my colleagues to contact my office or the Center for Human Rights Advocacy in Boulder, Colorado, for a copy of the full report.

THE ESCALATION OF ANTI-SEMITIC
VIOLENCE IN RUSSIA

(By William M. Cohen)

I. SUMMARY: ANTI-SEMITISM AND PERSECUTION
OF JEWS IN RUSSIA HAS DRAMATICALLY AC-
CELERATED.

The Center for Human Rights Advocacy (CHRA) has been monitoring and analyzing social, economic, political, ethnic and anti-Semitism developments in Russia and the former Soviet Union (FSU) since its inception in early 1991. In addition, because of the persistent evidence and reports of anti-Semitism in Russia, the Union of Councils for Soviet Jews (UCSJ), on which the author serves as a member of the Executive Committee of the Board of Directors, has steadily increased its monitoring and reporting on human rights and anti-Semitism in Russia. In cooperation with the Moscow Helsinki Group, and aided by a grant from the United States Agency for International Development, trained monitors located throughout

Russia now regularly report to UCSJ and CHRA on this growing phenomenon.

The persistent pattern of anti-Semitism and the pernicious practice of persecution of Jews in Russia was identified and summarized by CHRA in March of 1996:

"This phenomenon [i.e., steadily growing anti-Semitism] is an atmosphere of economic hardship following the breakup of the FSU] is exploited by politicians and elected officials for political gain. It is manifested by acts of discrimination, insults, threats, and violence against Jews, Jewish property, and Jewish institutions. It is aimed, in substantial part, at driving Jews out of Russia to make room for Russians in a time of scarcity, economic distress, and political instability arising out of the destruction of the Soviet Empire. Moreover, it is clear that there now exists no Russian governmental agency able or willing to protect Jews from persecution because of their nationality or religion. The absence of any meaningful deterrent to such conduct plus the permission given to anti-Semites by leading politicians and elected officials to engage in such conduct encourages those who would persecute Jews to do so with impunity.

Since the economic crisis and the collapse of the ruble which struck Russian in August 1998, anti-Semitic expressions by leading politicians and elected officials, aimed at demonizing and scapegoating Jews, and, ultimately, at driving them out of Russia, have dramatically accelerated. This increase in anti-Semitic rhetoric has been accompanied by a concurrent increase in the number of violent acts targeting Jews, Jewish property, and Jewish institutions. Such violence is now frequent and widespread throughout the vast number of Russia's regions as well as in the major city centers of Moscow, St. Petersburg, and Nizhny Novgorod, the location of the three largest population of Jews in Russia.

The frequency and ferocity of the various anti-Semitic violent acts appears to be accelerating. At the same time, the governmental institutions upon which Jews and other targeted minorities must rely for protection against extremist violence are either unable or unwilling to effectively provide that protection.

In addition, during the political and economic crises which continue today in Russia following the August 1998 collapse, militantly anti-Semitic groups, such as Russian National Unity (RNU), have grown in size and popularity. Sensing both the impotence and indifference of law enforcement agencies, these groups have increased the openness of their anti-Semitic expressions with little or no effective action by government authorities to deter them. Under these circumstances, Jews in Russia continue to be vulnerable to anti-Semitic discrimination, violence, and persecution without any effective recourse to the Russian government at any level for protection against such prejudicial treatment.

Indeed, the risk to Jews in Russia today is greater than at any time since the breakup of the Soviet Union. The Russian government has so far demonstrated that it is both unwilling and unable to deter growing anti-Semitic violence against its steadily diminishing Jewish population. Hence, those aimed at driving Jews out of Russia, punishing them because of hatred of Jews, and scapegoating Jews for a variety of political ends can generally do so with impunity.

Faced with escalating anti-Semitic violence combined with indifference to these attacks by the general Russian populace, political exploitation of the phenomenon and government impotence to protect them, the Jewish community has resorted to funding its own security for Jewish institutions and

turned to Western governments and non-governmental human rights organizations for help. Increasingly more Jews are also leaving Russia and the FSU permanently for Israel, the United States and other countries where they will be free from persecution because of their Jewish religion and nationality.

Absent a dramatic change in the economic, social and political climate in Russia, it is highly unlikely that the current atmosphere of openly and violently expressed anti-Semitism will diminish any time soon. To the contrary, the escalating incidents combined with government silence and ineffective law enforcement, indicate that Jews are at great risk in Russia today and for the foreseeable future.

This Report will first document the chronology of recent anti-Semitic events which demonstrate both the increased frequency and level of danger which accompanies them as well as the Russian Jewish Community's reaction. Next it catalogues the Western governmental and non-governmental organizations (NGO)'s response to this growing problem. Finally, it outlines the less than adequate, largely rhetorical response by the Russian Government to this problem.

HONORING PEGGY BRAVERMAN

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. ENGEL. Mr. Speaker, the Bronx is losing one of its most distinguished public servants and a woman who has done more for her borough and her community than we can ever thank her for. Peggy Braverman is retiring after more than 15 years as Deputy County Clerk for the Bronx where she oversaw a staff of more than 80 people as they helped residents secure business certificates, passports, and other significant documents while answering questions about jury duty and other matters.

She was always active in her community and the political arena. She was an administrative assistant in the Bronx Borough President's office from 1979 to 1985 and before that she served as an administrative assistant for then Councilman, now Assemblyman Stephen Kaufman. She was also Democratic District Leader for the 81st Assembly District.

At least as extensive was her work in the voluntary area. She was an active member of the Educational Jewish Center, the Morris Park Community Association, the Allerton Avenue Homeowners Association and the 49th Precinct Community Council. She also served as President of the PTA of Christopher Columbus High School and Vice President of JHS 135. She was also a scout leader.

Peggy Braverman is that rare person who serves her neighborhood and her fellow citizens in so many capacities, someone, who by their service, does so much to make government work and the community prosper. The people of the Bronx will miss her in government; let us hope we can keep her helping in the community. I want to join her legion of friends and admirers in wishing her in retirement what she has learned—the very best from life.

TRIBUTE TO DR. KENNETH MAURICE MATCHETT, JR.—A GREAT AMERICAN AND FRIEND

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to ask that we pause for a moment in honor of one of the finest people that I have ever had the pleasure of knowing. Dr. Kenneth Matchett, Jr. was a dedicated family man, a hard working physician and a model American. He gave selflessly to provide for his family and to help his community. Tragically, Ken died in a horse riding accident while competing in Phoenix, Arizona.

After graduating from Stanford with a degree in Biochemistry in 1963, he attended Cornell Medical College. There he was elected to Alpha Omega Alpha, the medical honorary society. It was not long until he realized his true passion, Internal Medicine. During 1967–1972, he completed his residency in Internal Medicine and a fellowship in Hematology/Oncology at Duke University. Soon after that he returned to his hometown of Grand Junction, Colorado, where he set up his own practice.

In addition to working tirelessly in his practice, he also maintained an active role in Saint Mary's Hospital. There Ken served as President of the Medical Staff and as a member of the Board of Directors. As if these accolades are not enough, he also went on to found the Oncology Unit for the care of cancer patients at Saint Mary's Hospital. The fine Doctor had a special reassuring warmth with his patients.

Ken is survived by his wife Sally, their three daughters, Nancy Jean, Sarah Mary and Emily Ruth, three sons-in-law and two grandchildren. His family was precious to him.

It is with this, Mr. Speaker, that I pay tribute to the life of Ken Matchett. I wish that everyone could have had the pleasure of knowing this man. He was a great American and a friend of many.

TRIBUTE TO THE LATE SURESH KWATRA

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. QUINN. Mr. Speaker, before the first session of the 106th Congress adjourns, I want to pay tribute to Mr. Suresh Kwatra, a dedicated 25-year career employee of the United States Department of Veterans' Affairs, who died unexpectedly on June 21, 1999.

Mr. Kwatra was indeed an inspiring individual. He was an accounting graduate of Delhi University. He immigrated to the United States from his native India in 1969 and served in the United States Army during the Vietnam conflict, shortly after gaining his American citizenship.

Mr. Kwatra began his career with the former Veterans Administration in 1974. He served as a veterans benefits counselor, strategic planner with VA's national cemetery system, and statistician and analyst in the Office of VA's Assistant Secretary for Policy and Planning. Because of his exceptional initiative and pro-

fessionalism, the Congressional Veterans' Claims and Adjudication Commission selected Mr. Kwatra to be an analyst and project manager. In my role as chairman of the Subcommittee on Benefits, Committee on Veterans' Affairs, I have read his insightful analysis in the commission's report.

Mr. Speaker, Suresh Kwatra came to America, served proudly and honorably in our military, and then committed his life to serving fellow veterans for a quarter of a century. To Suresh's former co-workers, members of his church and community, his wife of 25 years Shoba, and sons Sameer and Naveen, I say that Suresh Kwatra was more than an inspiring individual, indeed he was an American hero.

HISTORIC ENCOUNTER BETWEEN
SAN JUAN PUEBLO AND SPAIN

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. UDALL of New Mexico. Mr. Speaker, on October 31, 1999, the headline of the Sunday Journal North edition of the Albuquerque Journal read: "Pueblos, Spain Forging Ties." That headline and the accompanying article recognized ground-breaking events whose importance extends beyond the Third Congressional District of New Mexico. Events that are living proof that centuries-old wounds to the dignity of our Native American communities, particularly our New Mexico Indian Pueblos, can be healed through good will on the parts of the leaders of those Pueblos and the government involved. In this case, that government is the government of Spain.

Students of American history know that four and a half centuries ago our American Southwest was explored by the government of Spain, which eventually led to Spanish settlement there four centuries ago. Those 1598 Spanish colonists led by Don Juan de Oñate did not find themselves alone: they settled in the midst of Indian Pueblos that had been thriving, vital established communities since time immemorial.

The relationship between the Spanish settlers and the original Pueblo Indian inhabitants were filled with conflict and occasional violence. Through it all, the Pueblo Indian communities, including the Pueblo of San Juan where Juan de Oñate established the first Spanish capitol of New Mexico, struggled endured and held on to their culture, their traditions and even their internal government.

On April 3, 1998, acting on behalf of the 19 Indian Pueblos that comprise the All Indian Pueblo Council of New Mexico, San Juan Pueblo Governor Earl N. Salazar became the first tribal official in the history of New Mexico and the United States to invite an official representative of the Government of Spain, its Vice President Francisco Alvarez-Cascos, to visit San Juan Pueblo in commemoration of the four-hundredth anniversary of the permanent meeting of the two cultures. That invitation was made because in the view of the San Juan Tribal Council after four hundred years, reconciliation and healing were important. In the words of one San Juan Pueblo spiritual leader, "It was not right to teach our children to hate." What an incredible and brave statement that was!

As a result of Governor Salazar's invitation, on April 26, 1998, the Governors of New Mexico's 19 Pueblos, led by this remarkable young man, Governor Salazar, met with Vice President Alvarez-Cascos and Antonio Oyarzabal, Spanish Ambassador to the United States. The meeting was also attended by many of New Mexico's state and local government dignitaries. At that meeting, Governor Salazar reflected: "Today is a historical day for all of us because for the first time since that contact at Oke Oweingeh four hundred years ago, we, the descendants of our respective peoples and nations, are meeting to reflect upon the past and present, and together chart a new course of the relationship of our children and their future." Speaking for the Spanish delegation, Vice President Alvarez-Cascos stated "It is in the future history, the one we need and want to write together, that we will find reconciliation, fruit of a new will for two cultures who have learned to overcome the pain and suffering of the past, two people who want to know each other better, who want to build a new friendship."

Subsequently, Governor Salazar, his wife Rebecca, Governor Gary Johnson of New Mexico and First Lady Dee Johnson were extended an official invitation to visit Spain. The objective of the visit was to build on the foundation established during the April 26, 1998 meeting hosted by Governor Salazar and the nineteen New Mexican Indian Pueblos. The official visit to Spain, which became known as "Re-encuentro de Tres Culturas" or the "Re-encounter of Three Cultures"—referring to the Indian, Spanish and American cultures—took place on November 18 through 23, 1998. The United States Ambassador to Spain, Ed Romero, a descendant of those first Spanish colonists in New Mexico, also took part in the meetings and events. At the official reception, Governor Salazar, whose mother Maria Ana Salazar is full blooded San Juan Tewa Indian and whose father is State Representative Nick L. Salazar, a Hispanic elected official in New Mexico, delivered a blessing in Tewa. The essence of that blessing was "Now it is time for all of us to sit down and establish a framework for how we will work with each other to establish an enduring relationship based on honor, trust, mutual respect, love and compassion."

During the Re-encuentro de Tres Culturas, the Prince of the Asturias, His Royal Majesty, Felipe Bourbon, made a special visit to meet Governor Salazar, Governor Johnson and the rest of the New Mexico delegation which included State Representative Nick L. Salazar, Española Mayor Richard Lucero and Rio Arriba County Commissioner Alfredo Montoya. The King, along with other high-ranking Spanish Officials, witnessed the performance of the Sacred Buffalo Dance performed by Pueblo Indian members of the delegation from New Mexico. In appreciation for his courageous leadership, His Majesty presented Governor Salazar with a medal making him a member of the Order of Isabel De la Catolica, grade of encomienda. The medal is awarded to individuals whose "Pure Loyalty" by deeds and actions have helped to foster better relations between Spain and America. Governor Salazar is the first Indian Governor upon who this honor has bestowed.

As noted in the October 31, 1999 Albuquerque Journal article, the courage of Governor Salazar and the rest of the New Mexico's Pueblo Indian leaders is beginning to

bear fruit beyond the reconciliation of these traditional peoples of the United States and Spain. The New Mexican Pueblos and Spanish government representatives have now entered into an agreement creating an exchange program for teachers and students. The agreement, in the form of a Memorandum of Understanding, was signed by the Indian Pueblo governors, the Spanish Ministry of Culture, Spanish Vice President Alvarez-Cascos, the New Mexico Office of Indian Affairs and the Santa Fe Indian School. As Governor Salazar indicated, Pueblo Indian history is tied to Spain. As a consequence, the Pueblos "decided to renew * * * and develop a relationship that has long-term interests for both sides." He also noted that the Memorandum of Understanding is a first step toward forming more agreements with Spain in the future, such as trade and commerce pacts.

Governor Salazar's efforts deserve recognition because they have now become an important part of the history of New Mexico and our country. And because they demonstrate that, as Elizabeth Kubler-Ross once said, "there is nothing that cannot be healed." All it takes is people with courage and a commitment to justice and reconciliation. Governor Salazar never planned for all of this to happen. He simply followed the path of his spirit in an effort to work for the people of his Indian Pueblo and for his Hispanic citizens in the surrounding Española Valley. As someone else has said, "there is no holier place than that where an ancient hatred has yielded to forgiveness." For creating such a place in the heart of our American Southwest, he deserves our thanks and deepest appreciation.

LEWIS AND CLARK HISTORIC
TRAIL TECHNICAL CORRECTNESS
ACT OF 1999

HON. BRIAN BAIRD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. BAIRD. Mr. Speaker, today I rise to introduce legislation that will correct a long-standing historical inaccuracy dealing with the Lewis and Clark National Trail System. Currently, the Lewis and Clark National Trail designation reads that the expedition traveled "from Wood River, Illinois to the mouth of the Columbia River in Oregon." My colleagues, unfortunately, this does not tell the whole story. My legislation would amend the designation to include Washington State along with Oregon as the end point of this important journey in American history.

The journey of Lewis and Clark is one of the most important events in American history. That is why it is imperative not only that the story of Lewis and Clark be told, but that their story be told with accuracy and historical correctness. Unfortunately, the current Lewis and Clark Historic Trail designation fails to recognize the important events that took place in Washington State during the expedition.

When President Thomas Jefferson sent Meriwether Lewis, and William Clark on their now famous expedition, he sent them with many goals in mind. Over the next four years, the Corps of Discovery would travel thousands of miles, experiencing lands, rivers and peoples that no Americans ever had before. But

the single overriding imperative of the entire enterprise was to find a navigable water route to the Pacific Ocean.

Mr. Speaker, I am proud to say that the Corps of Discovery accomplished that objective on November 15, 1805—and they did so in one of the most scenic places on earth, Pacific County, Washington.

Theirs was not an easy journey; it took great skill, tremendous perseverance and immense dedication. There are hundreds of events that took place along the way that tested each of these attributes. One of the most important of these watershed events took place on the Washington State side of the Columbia River, on November 24, 1805.

With little food, rotting clothes, and winter soon approaching, the group huddled to decide where to camp for the winter. The pressing question: should they stay on the north side of the river in what would later become my home state of Washington, or should they risk a tricky river crossing to find a more sheltered spot on the south side of the river? Because there were these two differing ideas about where to spend the winter, Captain Lewis and Captain Clark allowed the entire party to vote on where to camp. What is important to remember is that among those who were allowed to vote was York, a African-American slave, and Sacajawea, a young Native-American woman.

This exercise of democracy took place more than 50 years before the abolition of slavery and the passage of the Thirteenth Amendment, more than 100 years before the ratification of the Nineteenth Amendment which gave women the right to vote, and nearly 160 years before the passage of the Voting Rights Act which extended these liberties to even more Americans.

Mr. Speaker, as I am sure you are aware, the bicentennial Lewis and Clark's famous journey is rapidly approaching. The bicentennial is going to be of great importance both culturally and economically to my home state, and those impacts will be felt in many small towns and big cities all along the Lewis and Clark trail.

Knowing the important part that Southwest Washington played almost 200 years ago in this journey, I want to make sure that the National Park Service documents are historically accurate and complete. My legislation will help ensure that outcome. Therefore, Mr. Speaker, I urge my colleagues to join me in supporting this simple legislation, the Lewis and Clark Historic Trail Technical Corrections Act of 1999.

SECOND GENERATION OF ENVIRONMENTAL IMPROVEMENT ACT

HON. JAMES C. GREENWOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. GREENWOOD. Mr. Speaker, today I am introducing, along with my colleagues, Mr. DOOLEY, Mr. BOEHLERT and Ms. TAUSCHER, the "Second Generation of Environmental Improvement Act of 1999." This bipartisan bill has two related purposes—to improve the information practices of the Environmental Protection Agency (EPA) and to encourage the EPA to experiment with more innovative approaches to protect the environment.

Our overall goal is to move our nation toward a performance-based system of environmental protection—a system that will do a better job of protecting the environment, while providing greater flexibility to companies and states to determine how to meet tough, clear environmental standards. Our watchword in writing this bill has been to provide greater flexibility in return for greater accountability.

In moving in this direction, we are following the recommendations of a variety of recent reports, including the Enterprise for the Environment, headed up by former EPA Administrator Bill Ruckelshaus; the President's Council on Sustainable Development, the Aspen Institute and the National Academy of Public Administration. We need to allow and encourage more experimentation to see if innovative approaches to regulation will produce the desired results. Our incremental bill will do just that.

Mr. Speaker, we are introducing this bill today to spark discussion on this approach to environmental policy, which we think should be at the heart of moderate environmental reform. But we still have much work to do. The bill still needs both technical and substantive work, and we do not intend to move it forward in its current form. Rather, we plan to introduce a refined version early in the next session after more meetings with experts on all sides of the environmental debate. But we think the bill in its current form does indicate the basic shape and principles of the bill that we will move forward.

This bill should be of interest to anyone who wants to ensure that we will continue to work to make our environmental protection system as effective and efficient as possible. We encourage anyone interested to comment on this version of the bill, so that we can take those concerns into consideration as we work on the version we will introduce next session.

TRIBUTE TO THE FOX CHAPEL
HIGH SCHOOL HONORING THEIR
RECOGNITION AS A 1999 NEW
AMERICAN HIGH SCHOOL NA-
TIONAL SHOWCASE SITE

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. DOYLE. Mr. Speaker, I rise today to honor the Fox Chapel Area High School as they have been selected by U.S. Department of Education and The National Association of Secondary School Principals (NASSP) as a 1999 New American High School (NAHS) national showcase site.

Fox Chapel Area High School is one of only 13 schools across the country that were recognized for setting a new standard of excellence for all students. They have earned this national recognition through the success of their school improvement efforts and the commitment of the school staff and community to high levels of student achievement.

Specifically, Fox Chapel Area High School has been recognized for the following: an attendance rate of 96 percent; an average Scholastic Aptitude Test score of 1091, which exceeds state and national averages; an enrollment of 47 percent of juniors and seniors in Advanced Placement classes; and an eligibility rate of 86 percent of those students who took

the Advanced Placement exams and scored high enough to obtain college credit.

In the school year 1992–93, Fox Chapel Area High School received the honorable designation as a Blue Ribbon Secondary School of Excellence for displaying outstanding effectiveness in meeting local, state, and national educational goals. Receiving the honor of being named a 1999 New American High Schools national showcase site further demonstrates the overall commitment by the staff, parents and community to ensure that all students meet challenging academic standards and are well prepared for college, careers, and life.

Congratulations Fox Chapel Area High School. I wish you the best of luck in your future endeavors to continually improve upon the quality of the education of our youth.

INTRODUCTION OF STEWARDSHIP EDUCATION, RECREATION, AND VOLUNTEERS FOR THE ENVIRONMENT ("SERVE") ACT OF 1999

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. UDALL of Colorado. Mr. Speaker, together with my colleague and cousin, Mr. UDALL of New Mexico, I am introducing a bill to encourage greater cooperation between the public—especially young people—and the federal government to enhance the stewardship of the natural and cultural resources of the federal lands and the recreational, educational, and other experiences they provide for so many people.

The bill is called the Stewardship Education, Recreation, and Volunteers for the Environment Act—the "SERVE Act" for short.

Mr. Speaker, this bill reflects the joint effort of my office and that of my cousin and colleague, Mr. UDALL of New Mexico. It is truly a Udall-Udall bill, and it's only at my cousin's suggestion that my name is listed first—for once, I decided to accept one of his ideas.

Mr. Speaker, the lands that belong to the American people—the National Parks, national forests, wildlife refuges, recreation areas, and the lands managed by the Bureau of Land Management—are enjoyed by literally millions upon million of visitors each year. People visit them for sightseeing, wildlife watching, hunting, fishing, hiking, and camping opportunities.

In Colorado alone visitors can experience a wide range of outdoor recreation and education opportunities. From the isolated tundra and towering peaks of Rocky Mountain National Park to the city-surrounded greenery of the Two Ponds National Wildlife Refuge, to the sparkling mesas and sandstone arches of BLM lands on the western slope and all the wonderful areas in between, we are blessed with an incomparable heritage that we gladly share with people from across the country and around the world.

But the visitors often don't realize how much they owe to the efforts of the many volunteers who have selflessly given their time and expertise to help the professional personnel of the land-managing agencies. Without the hard work, dedication and enthusiasm of these volunteers, it would be impossible for the Federal agencies to come as close as they do to meet

the demands for adequate maintenance and sound management of these lands.

We think it's in the national interest to properly recognize their contributions, and our bill is intended to do that. It's also intended to provide greater authority for the land-managing agencies to cooperate with volunteers, and to encourage those agencies to reach out to young people to help them learn about the resources and values of the federal lands as well as about the importance of proper stewardship of those resources and values and the opportunities for careers with agencies concerned with the management of natural or cultural resources.

There were some efforts along these lines in the past. Some of the land-managing agencies have been given authority to recruit and recognize individuals who donated their energy, time and expertise to enhance our federal and public lands for all Americans to enjoy. However, there is more that can and should be done.

Our bill would direct the Secretary of Agriculture and the Secretary of the Interior to establish a national stewardship award program to recognize and honor individuals, organizations and communities who have distinguished themselves by volunteering their time, energy and commitment to enhancing the Nation's parks, forest refuges and other public lands.

As a minimum, the program would include a system of special passes for free admission to and use of federal lands that would be awarded to recognize volunteers for their contributions.

The bill would also encourage an attitude of stewardship and responsibility towards public lands by promoting the participation of individuals, organizations and communities in developing and fostering a conservation ethic towards the lands, facilities and the natural and cultural resources. Specifically, it calls on the Federal land managing agencies to enter into cooperative agreement with academic institutions, State or local government agencies or any partnership organization. In addition, the Secretaries would be enabled to provide matching funds to match non-Federal funds, services or materials donated under the cooperative agreement.

Further, the bill encourages each Federal land management agency to cooperate with States, local school districts and other entities to (1) promote participation by students and other young people in volunteer programs of the Federal land management agencies, (2) promote a greater understanding of our Nation's natural and cultural resources, and (3) to provide information and assistance to other agencies and organizations concerned with the wise use and management of our Nation's natural and cultural resources.

Mr. Speaker, I am proud to have this opportunity to extend my own appreciation to the federal land managing agencies and the many volunteers who assist them. The point of this bill is to extend that recognition on a formal and national basis, and to build on the sound foundation that they have laid. I hope we can send it to the President for signing into law soon after we reconvene next year.

TRIBUTE TO COLONEL CARL J. LEININGER

HON. PETER J. VISCLOSKEY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. VISCLOSKEY. Mr. Speaker, I would like to pay tribute to an outstanding American, an outstanding soldier, and an outstanding officer who has contributed immeasurably to the good relations between the Army and the House of Representatives. On December 31, 1999, Colonel Carl J. Leininger retires after over 28 years of dedicated service to America and our great Army. Throughout his career, Carl Leininger has provided forward-looking leadership characterized by a unique intellect and strategic vision. He has served with distinction in positions of increasing responsibility from platoon to the Office of the Secretary of Defense, always demonstrating the highest degree of leadership and professionalism, while making lasting contributions to Army readiness and mission accomplishment.

As we honor his retirement, we note that Colonel Leininger's distinguished career has stretched nearly three decades, culminating in his service as Chief of the Army's Congressional Activities Division. In this position, Colonel Leininger has served as principal advisor to the Army's senior leaders for their personal meetings with Members of Congress, and for their testimony before committees of this House. He has ensured that the Army's senior leaders provide a coherent, cohesive and meaningful message to the Congress. Colonel Leininger has also contributed to the increasingly effective relations between the Army and the House with his active sponsorship of an annual Congressional Briefing Conference for the Army's Congressional Actions Contact Officers, allowing Members to connect with those managing the planning and programming of Army resources.

Colonel Carl Leininger was born in Pennsylvania, but grew up Indiana. Carl and I graduated together from Andrean High School in 1967. There our paths diverged, I staying home to attend Indiana University, and Carl heading to the banks of the Hudson to attend the United States Military Academy. While there, he played basketball for someone who has since become an Indiana institution, Coach Bob Knight. Graduating from West Point in 1971, Carl was commissioned a second lieutenant of infantry. After receiving his Airborne wings and Ranger tab, Carl's first assignment was as an infantry platoon leader in the 4th Infantry Division at Fort Carson, Colorado.

Colonel Leininger then transferred to Military Intelligence, serving in intelligence assignments at battalion, division, the Army's Intelligence Threat and Analysis Center, and Supreme Headquarters, Allied Powers Europe. Carl also received a masters in political science from Yale, taught social science at West Point, and served as an Army congressional fellow to another Indiana legend, Representative Lee Hamilton.

For the last decade, Carl Leininger has served at the highest levels of the North Atlantic Treaty Organization, the Army, and the Defense Department. He served as a speech writer to the SACEUR, the Army Chief of Staff, and the Secretary of Defense. He also served

as Chief of the Army's Congressional Activities Division. In these positions, Carl has exhibited that rare combination of Midwestern-bred common sense, Ivy League-honed scholarship, and West Point-forged sense of Duty, Honor and Country in making extremely complicated issues readily understandable for senior Defense and Army officials, Members of Congress, and the public at large.

Mr. Speaker, I ask that you and all of my colleagues join me in congratulating Colonel Leininger on a productive and happy retirement. I offer my personal thanks to my longtime friend, a soldier whose selfless service has truly made a difference, Colonel Carl Leininger.

CELEBRATING THE LIFE OF DORIS RENICK

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. THOMPSON of California. Mr. Speaker, last week the Coyote Valley Band of Pomo Indians lost a very dear friend, spiritual symbol and elder—Doris Renick.

Doris was an active and visionary leader and the Tribe's many successes can be attributed to her tenure as tribal administrator and chairperson.

In fact, while serving as chairperson and with the help of other family members, Doris was instrumental in getting the land base in Redwood Valley redesignated from a rancharia to what is now known as the Coyote Valley Reservation. This accomplishment opened the door for obtaining housing for tribal members and to have a recreation building constructed on the reservation.

But key to the community's future was finding new economic opportunities. As such, many say that Doris' most important accomplishment was the opening in 1993 of the Shodakai Coyote Valley Casino, which now provides more than 200 jobs for tribal members and neighbors.

As a State senator, I had a number of occasions to work with Doris and I can attest to her enthusiasm and caring attitude. In fact, her active involvement in a number of local, State, and national organizations attests to her interest in serving all citizens and her ability in bringing people together. Doris, for example served on the Mendocino County Economic Development Commission and helped promote county-wide projects that benefited all residents, not just her Tribe.

Doris also chaired the California Council of Tribal Governments, the California Elders Program, the Consolidated Indian Health Consortium, and the California Indian Health and Disability Board. And she took particular interest in Indian education and bilingual/bicultural programs. Interestingly, her advocacy for improving the delivery of health care came not only from her training and work as a registered nurse, but also her longtime bout with severe rheumatoid arthritis. To be sure, the disability never slowed her down.

Mr. Speaker, the members of the Coyote Valley Band of Pomo Indians and residents of Mendocino County celebrate the life of Doris Renick. She will be sorely missed, though all around us there are continual reminders of her loving and caring nature.

I join the community and family and friends in mourning Doris' passing and celebrating her life and I extend my heartfelt condolences to all whose lives were touched by her.

IN HONOR OF JEAN AND FRANK PERRUCCI, RECIPIENTS OF THE "LIFETIME ACHIEVEMENT COUPLE" AWARD FROM THE BAYONNE HISTORICAL SOCIETY, INC.

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize Jean and Frank Perrucci for receiving the "Lifetime Achievement Couple" award from the Bayonne Historical Society, Inc., and for their extraordinary accomplishments in community service.

The Perrucci's, who have dedicated their time and service to the City of Bayonne for more than fifty years, are the first couple to be jointly recognized by the organization. From veterans organizations, to school charities and church functions, the Perrucci's willingness to get involved and work toward the improvement of the City of Bayonne has been exceptional.

A World War II veteran of the United States Army and the Maritime Service, Mr. Perrucci has continued to play an integral role in a variety of veterans groups. Of the many organizations he is involved with, Mr. Perrucci serves as chairman of the World War II Welfare Fund and as commander of the Hudson County Catholic War Veterans. In addition, he is president of Bayonne for the Battleship of New Jersey, Inc.

Mr. Perrucci's efforts on behalf of war veterans have not gone unnoticed. He has been recognized by the Catholic War Veterans, receiving the Hudson County Home Award and Hudson County Commanders Award, and was honored again by the National Catholic War Veterans, receiving the National Award and the Lifetime Member Award.

Jean Perrucci, a life-long resident of Bayonne, has been a community activist for more than three decades. Never turning away from a challenge or the chance to help someone in need, Mrs. Perrucci is a wonderful role model for civic and community involvement.

Mrs. Perrucci has been instrumental to so many organizations, offering her knowledge, guidance, and experience. From serving as Chair of the "I Love Bayonne" project, to collecting food for the Make A Difference Day program, to raising funds for the Bayonne Vietnam Memorial monument, Mrs. Perrucci's work has greatly impacted the lives of the residents of Bayonne.

Mr. and Mrs. Perrucci, the parents of four children and seven grandchildren, spearheaded and founded a grassroots organization called the Concerned Citizens of Bayonne twenty-nine years ago and instituted the Frank P. Perrucci Scholarship Award for students.

For more than fifty years of extraordinary service to the City of Bayonne, I ask my colleagues to join me in congratulating this remarkable couple on receiving the Bayonne Historical Society, Inc.'s "Lifetime Achievement Couple" award. Their contributions to the City and to the 13th Congressional District re-

main unmatched and I wish them luck in their future endeavors.

TRIBUTE TO MIKE PERRY

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. MCINNIS. Mr. Speaker, I would like to take this brief moment to congratulate and thank Mike Perry for his service and leadership on behalf of the Grand Valley over the last 15 years. In that time, Mike has overseen the opening of the now widely renowned Dinosaur Valley, served as the Director of the Museum of Western Colorado, and, for the last nine years, worked as the Executive Director of the Dinamation International Society. In that time, Mike has distinguished himself greatly. What's more, he has made our community a better place in which to live.

Unfortunately for western Colorado, Mike will be leaving the Grand Valley next month to pursue an outstanding professional opportunity in The Dalles, Oregon. Mike has taken the job of Director at the Columbia Gorge Discovery Center and Wasco County Historical Museum in The Dalles area.

While saddened that Mike will no longer be a part of our community, I know that western Colorado is a better, more culturally vibrant place because of his service. Our loss, is clearly The Dalles' gain.

As Mike moves on to this new challenge, Mr. Speaker, I wish him only the best of luck in all of his personal and professional endeavors. We are thankful for his service over the past 15 years and wish him all the best in the future.

HONORING SYLVIA STAHL

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. ENGEL. Mr. Speaker, Sylvia "Sally" Stahl, a dedicated wife, mother, and grandmother is celebrating her 80th birthday and I want to take this occasion to join her family and her many friends in wishing her a happy birthday.

She has lived all of her 80 years in the Bronx where her parents instilled in her the virtues and ethics she has lived by and which she passed on to her children and grandchildren. Her parents, Max and Sarah, came to America from Eastern Europe so they and their children could enjoy the America's freedom.

She and her twin sister, Miriam, and her brother, Sydney, were raised in the Bronx. She and her husband, Harry, purchased their home in the Allerton section of the borough, and she lives in that house still. She and Harry were both active in the community and Sally is still an active member of Hadassah. During World War II, when Harry served with the SeaBees, she worked at the Brooklyn Navy Yard.

She also did volunteer work at Bronx Lebanon Hospital for more than 20 years. Sally has recovered from three bouts with cancer.

but not even that could slow this remarkable lady down. She is still active and drives throughout the Bronx and Westchester County.

She is the mother of Robert and Paul, mother-in-law of Josephine and Helene, grandmother to Jarret, Lindsay, Dana and Eric. I am proud and honored to join Sally, her family and her friends on this wondrous occasion.

EARTH DAY INTRODUCTORY STATEMENT

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. UDALL of New Mexico. Mr. Speaker, today I rise to introduce a resolution recognizing the growing observance of Earth Day. On April 22, 1970, 20 million Americans celebrated the first Earth Day. Since Earth Day's first observance, the number of Americans celebrating Earth Day and the number of countries observing Earth Day has steadily risen. In fact, Earth Day is now observed in more than 140 countries.

Every year on April 22, millions of Americans and millions of people throughout the world participate in activities that call attention to harmful human activities that impact our natural environment. These calls have not gone unanswered. Since the first observance of Earth Day, Congress has passed the Clean Air Act, the Clean Water Act, and the Endangered Species Act in an effort to halt and roll back the harmful impacts of human activity. In addition, we have seen the creation of the U.S. Environmental Protection Agency, and just recently, in the House Committee on Resources, we witnessed a successful bipartisan effort to provide funding for an array of conservation and wildlife programs.

Earth Day provides an opportunity to learn about the positive actions we can take to improve energy efficiency; to develop safe, renewable energy sources; to design goods that are durable, reusable, and recyclable; and to eliminate the production of harmful wastes while protecting our environment and encouraging sustainable development throughout the world.

Mr. Speaker, this resolution recognizes the importance of Earth Day and calls on the House of Representatives to recognize that Earth Day should be established to draw attention to the impact of human activity on the natural environment, to alert the world to environmental threats to human health and well-being, and advocate personal actions and public policies to promote and preserve a healthy, diverse, resilient, and productive world for our children and our children's children.

This is a companion measure to one already introduced in the other chamber by Senator JEFF BINGAMAN of New Mexico.

Mr. Speaker, I ask this body to support this worthy resolution.

HONORING JOHN OLSEN AS HE RECEIVES THE STATE OF ISRAEL BONDS LABOR MEDAL

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Ms. DELAURO. Mr. Speaker, I rise today to honor my good friend John W. Olsen as he receives the State of Israel Bonds Labor Medal for his lifelong contributions to the labor movement in the State of Connecticut.

Created in 1951, State of Israel Bonds serves as the cornerstone of Israel's economy. Committed to improving Israel's infrastructure as a whole, Israel Bonds provides financial support for the construction of research facilities, transportation networks, communications links, and the expansion of port and airport facilities. Its commitment to the betterment of Israel's people and its economy is unparalleled—helping transform the state of Israel into one of the world's leading industrial nations.

In many ways, John's commitment to the labor movement is reflective on Israel Bonds' commitment to the state of Israel. Since he began his career as a member of the UA Local 133, Plumbers and Pipefitters, John has dedicated his life to working families. He has fought for better wages, more comprehensive health benefits for workers and their families, and safer work environment. As President of the Connecticut AFL-CIO, John has forced the largest corporations in Connecticut to listen to their employees' and afford them these basic rights. He has been a true leader for our working families, giving them a voice during the hardest of economic times.

John has also worked hard to make Connecticut a better place to live and grow. He has been active in state and national politics, serving on the Democratic State Central Committee and the Democratic National Committee. He also serves on a number of boards and commissions with the purpose of making Connecticut's workers the most productive in the nation. Over the years, John has become an ambassador for the labor movement, spreading its message of helping and protecting working families through lectures, newspaper columns, and on the radio. We in Connecticut have much to thank John for—his contributions have been truly invaluable.

It is with great pride that I rise to join friends and family in saluting my dear friend, John, as he receives the State of Israel Bonds Labor Medal. Congratulations.

PERSONAL EXPLANATION

HON. VITO FOSSELLA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. FOSSELLA. Mr. Speaker, I am not recorded on rollcall numbers 587, 588, 589, 590, 591, 592, 593, 594, and 595. I was unavoidably detained and therefore could not vote for this legislation. Had I been present, I would have voted "aye" for rollcall numbers 587, 588, 589, 590, 591, 592, 593 and 594. I would have voted "no" for rollcall number 595.

TRIBUTE TO MICHAEL TERRELL

HON. ANNE M. NORTHUP

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mrs. NORTHUP. Mr. Speaker, I rise today to congratulate and honor a Kentucky teacher from my district who has achieved national recognition for his exemplary role in educating young students. Michael Terrell of Louisville is one of 29 teachers from across the country selected for USA TODAY'S 1999 ALL-USA Teacher Team. He should be extremely proud to have been both nominated by a colleague and to have received an award conferred on the most impressive teachers in the nation. In light of constant stories about the crisis in our nation's schools, it is vital that we recognize the dedication and outstanding achievements of our teachers. It is my honor to pay tribute to someone who has made such a difference to so many children.

Michael Terrell has had a distinguished career as a primary teacher for 27 years, including 18 years at Cochran Elementary School where he currently teaches first and second grades. Thanks to Michael Terrell's devotion and selfless contributions, the Cochran Elementary School is filled with spirit and activism. His hard work and dedication to making schools better and improving the lives of his students, both encourages parents to get involved and sets an example for all teachers to follow. He is one of the people who helps create the vitality of Cochran Elementary School and his enthusiasm creates a can-do attitude. He is responsible for the many successes there which, in turn, positively affect our entire community's well-being.

Mr. Terrell is a teacher who knows how to get the job done. He knows it takes hard work, it takes flexibility, and it takes a commitment to each child. I was proud to hear that Michael Terrell supports what this Congress is trying to do—give schools and teachers the ability to make the choices which best reflect their students needs. We are all in agreement that such changes will help improve education—for Michael Terrell and his students. Because of all he does, I salute Michael Terrell for working so hard to make our schools a flourishing environment for our children to learn, grow and play.

TRIBUTE TO RONALD L. BOOK

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mrs. MEEK of Florida. Mr. Speaker, I rise to honor Ronald L. Book, one of Florida's truly remarkable citizens. Without ever holding elective public office, Ron Book has had a tremendous and positive influence on our state and our community for over 25 years.

Ron's tireless efforts and knowledge of both government and business has led to hundreds of millions of dollars in private and public investment in Miami-Dade County and throughout the State of Florida, resulting in the creation of thousands of new job opportunities, improving the quality of life for our citizens and greatly enhancing our position as a destination

of choice for vacationers and sports enthusiasts from around the nation and the world.

His efforts on behalf of the homeless and dozens of charitable organizations ranging from the Special Olympics to the Epilepsy Foundation to the Humane Society are not well-publicized, but they point out that, when it comes to community service, Ron Book is all business. In the highest traditions of public service, he is most generous with his time and attention in helping people who cannot themselves solve the problems that they face.

I have known Ron Book since he was just a youngster, making a name for himself working on local campaigns. As is the case today, everyone who met him then was impressed with his intelligence, hard work, devotion to principle and leadership capabilities. No one was surprised that Ron served as Vice President of his High School Class, or served in the University of Florida's Student Senate, or that he started working for a Florida legislator before he even graduated from college.

Because of his interest in government and desire to develop his own considerable capabilities, law school was a natural next step for Ron, as were his service as a Special Assistant to Governor Bob Graham; his employment in two of Florida's preeminent law firms; and the creation of his own law firm.

On December 14, 1999, Ron Book's achievements will be recognized at a testimonial dinner sponsored by the American Association of Bikur Cholim Hospital, Jerusalem's first hospital and one of Israel's preeminent medical care facilities. Mr. Book will be presented Bikur Cholim's International Brotherhood Award in recognition of this outstanding contributions to both his profession and our community.

Mr. Speaker, I know that my colleagues join with me in congratulating Ronald L. Book on this great honor.

TRIBUTE TO RABBI GERSHON AND SHARENE JOHNSON

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to Rabbi Gershon and Sharene Johnson in honor of their "Silver Celebration" at Temple Beth Haverim in Agoura Hills, California. This loving couple has spent 25 years as leaders in the Jewish community, both spiritually and educationally.

Rabbi Gershon Johnson has served as Rabbi at Temple Beth Haverim since 1988. He is described by many as the temple's incomparable spiritual leader. His devotion and expertise as a Rabbi are evident in his presence as a chaplain for the Southern California Board of Rabbis. He has always been extremely interested in passing on his love for and knowledge of Judaism. The Elderhostel program at the Brandeis Bardin Institute has benefited from Rabbi Gershon's knowledge, and he is one of their most popular teachers. He also has been instrumental in introducing religion to beginners through his "Introduction to Judaism" class sponsored by the University of Judaism.

Sharene Johnson is the wife of Rabbi Gershon, and has worked for the betterment

of the Jewish community in many different ways. She has taught at several Jewish day schools throughout the United States, and has been involved in programming and consulting at Jewish resource centers as well. Her leadership has shone through as chairperson on the Principal's Council at the Bureau of Jewish Education. For the past 11 years, she has passed on her wealth of experience and knowledge as Director of Education at Temple Ner Marev in Encino, California. The Jewish community also enjoys her teaching through adult workshops and her conducting of a women's Torah Study class at Temple Beth Haverim.

In addition to their devotion to the temple, they have become a model of excellent family life and values. Rabbi Gershon teaches the "Making Marriage Work" program at the University of Judaism. Sharene leads several family workshops each year, and has spent much of her time working with families and children. They have been happily married for 27 years and have raised 3 wonderful children—Gavi, Rachel, and Aliza.

Mr. Speaker, distinguished colleagues, please join me in paying tribute to Rabbi Gershon and Sharene Johnson. They are both deserving of our utmost respect and praise.

HONORING EDWARD WEISS

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. ENGEL. Mr. Speaker, public service, when performed wisely and well, is the most noble of callings. I speak today to honor a man who has been in public service and who performed in just those ways. Edward Weiss is retiring from the United States Department of Justice, Immigration and Naturalization Service, after 30 years of service.

In his many capacities with the Department, Ed has received outstanding performance ratings from every United States Attorney General under whom he has served since 1981. He is well known for his ability to prepare and litigate cases. He also coordinated the Criminal Alien Program for the New Jersey District.

Ed received his BA degree from Syracuse University and graduated from Brooklyn Law School. He and his wife Susan have two daughters; Robyn, in a pre-doctorate program in Religion at Hebrew University, and Karen, studying law at George Washington University.

Ed is retiring to follow his other passions, hiking and traveling. He is a dedicated professional of who we can all be proud. I join his many friends in wishing him and his family many happy years in his retirement.

CAL BIO SUMMIT CEO SATELLITE CONFERENCE WITH MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES ON OCTOBER 26, 1999

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. BILBRAY. Mr. Speaker, I insert the following for the RECORD:

RICHARD WILLIS. Good morning, I am Richard Willis, the Regional Manager of ComDis Co. Laboratory and Scientific Services. We are delighted to participate in this first ever BIOCOM Satellite CEO Conference. I think it is a compelling measure of the progress that is being made by so many dedicated people here in this business in San Diego over the past few years. ComDis Co. has a strong presence and a long presence in San Diego. The short commercial is that we offer services ranging from venture finance for early stage entities through to life cycle management services for more advanced companies in this business. We have a local representative here, Gail Obley who is presently working with many of you. Again, we are delighted to participate as a sponsor and wish you well in this activity. Thank you.

NARRATOR. Welcome to the Satellite CEO Conference with the Commerce Committee of the U.S. House of Representatives. In San Diego, on today's panel are: President and COO, Alliance Pharmaceutical Company, Ted D. Roth, President and CEO, IDUN Pharmaceuticals, Inc. Steven J. Mento, Ph.D., President and CEO, BIOCOM/San Diego, Joe Panetta, President and CEO, California Healthcare Institute, David L. Gollaher, Ph.D., Chairman, President and CEO, IDEC Pharmaceutical William H. Rastetter, Ph.D., Founder and CEO, INNERCOOL Therapies, Inc., John Dobak, M.D., and your moderator for today, Chairman and CEO, Alliance Pharmaceutical Company, Duane Roth.

DUANE ROTH. Let me start and just briefly introduce our panel members: First, Ted Roth who is President of Alliance Pharmaceutical, Bill Rastetter, who is Chairman, President and CEO of IDEC Pharmaceutical, Steven Mento who is President and CEO of IDUN Pharmaceuticals, David Gollaher who is President and CEO of the California Healthcare Institute, John Dobak who is the Founder and CEO of INNERCOOL Therapies, and Joe Panetta who is President and CEO of San Diego's BIOCOM. Let me suggest that we go into the issues, if that's OK with you, that we would like to have a discussion or a dialogue with you on. And for that we've got a moderator for each topic. Congressman, did you want to say anything?

Congressman BILBRAY. I need to inform you, before we get started, that the transcript of this panel will be entered into the congressional record. So don't say anything that you don't want your grandchildren to read. But, seriously, we want for this dialogue to reflect the fact that these are issues that the biotech industry needs to have addressed and wants to have addressed. So you have been duly warned.

DUANE ROTH. We have been warned, and I guess that changes just about everything. However, let me turn to Ted and let him get the first issue on the table.

TED ROTH. Good morning Congressman, or afternoon I guess out there. Thank you for participating in this program. The issue that I would like to discuss briefly is the access to capital as the issue we are facing right now. As you know, San Diego has about 250 companies that are engaged in the various aspects of bioscience. We employ nearly 25,000 people. And spend over a billion dollars a year in research and development. We are the third largest concentration of biotech companies in the nation, or the world for that matter. All of these companies are similar in their issues to the roughly 1,300 other biotech companies in the United States.

Yesterday we had a panel of analysts who talked about the financing environment, both in the public and private markets. As most of us know, they talked about the difficulty in raising money with companies having valuations under approximately between 750 and a billion dollars. I think it is

interesting to know that the only company in San Diego that has a market valuation in excess of a billion dollars, in fact, it is greater than two billion, is IDEC Pharmaceuticals. So the vast majority, virtually all of the companies in San Diego are under this level that they talk about being difficult to finance. Most of these companies have less than two years of cash, and many have less than one year. We are currently working on about 75 products that are at a late stage clinical development. And as this development continues, the need for capital to make it through the clinical trials and prepare for commercialization will only make the financing issue more dramatic. Therefore, what we have is a situation where companies have products that are nearing approval that are running low on cash and are facing a dubious financing environment.

The federal government can take steps to help to create a better environment for us. Most of us remember what it was like in 1993 and 94 with the Clinton Health Care Plan where what was going on in Washington had quite a dramatic effect upon us. While we don't expect that there is anything that can be done now to have that kind of affect on the positive side, we think it is important for the legislators to understand that what you do in Washington really does matter to us.

What I want to do is put three issues on the table. The first is the R&D Tax Credit. And I guess that I would ask that you comment on what you think the chances are that it will either be extended or made permanent during this Congress.

The second issue is Capital Gains and taxation on increases in capital investment. Do you expect, or should we look for any legislative changes to the existing law.

The final area and the one which is relatively recent. We heard this morning about the New Jersey model whereby the biotech companies are able to transfer a part of their state NOLs to the larger pharmaceutical companies under certain circumstances. This is something that the California Legislature is looking at, they are studying a comparable bill. So I guess, the question I would pose is, what, if anything, can we anticipate at the federal level on an issue such as the NOL transfer?

Congressman BILBRAY. Well I think first of all, let me comment on the fact that you pointed out appropriately the problems that, while we may be talking politics in Washington, things like the comments that were made about the first lady's health care plan—the damage that does. Coming from you, it just shows that this is not a partisan issue, but that all of us in Washington have to be sensitive to the fact that there are more than just political games in Washington at stake here. We are talking about the breakthrough drugs and major investment, so I am glad that you bring that up because it brings credibility to the discussion on both sides.

The one thing we've got to watch out for, as you've seen in the last couple weeks, there is posturing of "let's use the availability of drugs and pharmaceuticals to the public as some kind of political ping-pong ball which really hurts you guys right on the front line." And let's face it, on the other side of it, you've got to compete against other venture capital opportunities. It seems like recently we've seen that if something has a "dot-com" on the end of it, it is basically being perceived as a gold mine. I think hopefully we will see that moderate a bit and that BIOCUM will be on the line there.

Let me get right to your questions. The R&D Tax Credit is a very high priority. I think that it is a good possibility that somewhere down the line in the next few weeks

that we will see a way to place that into a bill that the President will sign into law.

The capital gains issue: I think right now, as long as the economy is still strong, no, we won't see that move forward. I think that the Capital Gains, as the Chairman of the Federal Reserve has said, is something that will be used if we see a softening of the economy. It is the adrenaline we'll give the patient, that will stimulate the patient to get the economy moving again. So that will be incremental and will be based on when we need to stimulate the economy. What I think that you are going to find now is that the discussion coming out of DC will effect the latest numbers on inflation. So I see that as being sort of a negative.

Let me just tell you that this New Jersey model and what we are doing for California. That is totally wide open. I am basically open for suggestion on that. I couldn't tell you one way or the other. You would probably be able to tell me better about that aspect.

DUANE ROTH. Would you like to make another comment about Net Operating Loss? No? OK. Then let's move on. If we can we will move on to our second topic, and that is the Food and Drug Administration. You have been very much involved in the past in helping us with some issues with the FDA and the 1997 legislation. I'd like to turn to Bill Rastetter and ask him to make some comments regarding user fees and the modernization act. Maybe we can discuss that and then we have a second part that we'd like to talk about. Steve Mento will talk about that, and that deals with appropriations and the mission of the FDA. So, Bill, I'll let you go first.

BILL RASTETTER. Congressman, thanks for being with us here this morning. I would like to talk about PDUFA and FDAMA. For the audience here, that may not use those acronyms every day; PDUFA is of course the Prescription Drug User Fee Act under which those of us developing drugs pay certain fees to the Food and Drug Administration that helps with the hiring of reviewers and the review process. Of course, FDAMA is the FDA Modernization Act of 1997.

Congressman, I'd like to give you a little feedback from the sector. We think that PDUFA has really been an unqualified success; both for patients and for biotech companies. It has provided for very substantial funding and fast track reviews of products. I know that our own company, IDEC, has certainly benefitted from that with the 9 month approval that we obtained for Rituxan.

I think the metrics really speak for themselves. With PDIFA, the act was passed originally in 1992 and in that year there were 26 new drugs approved. By 1996, with 600 reviewers hired with user fees there was a record of 53 new drugs approved by the Food and Drug Administration. In fiscal '96, that was the year when those 600 reviewers were on board and I guess still being trained and getting into the swings of things, I&D to approval, of course I&D was many years earlier, I&D to approval for drugs approved in '96 was greater than 90 months. By '98, just two years later, that was down to less than 60 months from application to begin clinical trials to approval, a dramatic change.

So I think that it is essential that we continue to build on this momentum. It is something that came out of PDUFA and the awareness, that yes we really could do something that we could work with the FDA as a partner, something that came out of that with lots of congressional help and dialogue with the sector was FDAMA, through which Congress provided tools to improve and modernize the review process. I am delighted to tell you today, that I think that from our sector at least, the feedback is generally

positive. Certainly we at IDEC view the FDA as a responsive and very active partner in drug development, where we are really jointly making drug development decisions on a real time basis with the FDA, rather than being second guessed after the fact, and this is absolutely critical. Important to being able to achieve this is absolutely critical to have a scientifically trained, well compensated and motivated and retained staff. I know that Steve will speak about that. I think that all the feedback is not positive. Some critics would say that the FDA is still failing to insure that the FDA is failing to ensure that all patients receive our technologies promptly and efficiently. I would refer you to the recent testimony of Pamela Bailey, who is the president of HIMA, or Health Industry Manufacturing Association to the Senate Committee on FDAMA that was as recently as the 21st of this month.

Of course, HIMA is the device trade association. I think that being in the biotech or the therapeutic side of the industry, I would have to ask if the device sides experience with the regulatory process might not be more positive today if they had put in place a PDUFA type act that would provided through user fees the increase staff at the regulatory agency. I'd welcome your comments on, either now if you wish, or after we wrap up.

I think though, that by and large, the FDA is more performance oriented these days, and have been really gratified to see the FDA re-engineer itself and be proactive and responsive to the climate, and also pro-active to try to manage the increasingly complex workload with human resources. I think that the metrics at CBR which is the biologic side of the house at the FDA are very telling. In '86 there were 178 I&Ds, or IDE's, these are the new applications to take something into the clinic. So '86—178, by '95—452, by '99—587. If you look at the balance of those that were in Biotech, went from 87 out of 178. This year an expected 427 out of 587. So the balance is really shifting in the bureau of biologics over to biotech and the workload certainly up more than threefold in the last 13 years or so.

Yet, the operating allocation dollars to CBR have gone down. '96 was less than '95, '97 less than '96, '98 less than '97. '99 is slightly up, but it is still in constant dollars down over 10% from '95 in this environment of increased complexity, because of technology, more and more is biotech which takes more scientific review and the number of applications are way way up. So, certainly continued funding growth is essential if we are not going to lose this momentum and indeed we are going to continue to build on this momentum, and Steve will comment on these things.

Two very very important areas, and I don't want to preempt you. Trained scientific staff at salary at parity with peers in the industry, because if you can not achieve that you will never solve the problem of turnover at the Food and Drug Administration.

Number 2, information technology. I think this is the single most important factor that can contribute to increased efficiency in the food and drug administration. And we are moving from boxes and boxes, pounds and pounds of applications to single CDs that are hyper linked where the reviewers can go back and forth very quickly, gosh they can take the whole BLA home in their pocket if they want, and work on it over the weekend. An incredible efficiency to be gained if we can get the Food and Drug Administration up to speed in information technology and that will certainly require the hiring of trained motivated retained staff to put all of that in place.

Another point that I want to make is that it has been very popular in this country to

fund the National Institutes of Health. Indeed, our entire sector has come out of the enlightened funding of the NIH that we have had in this country for decades. But, we have to view the NIH and the FDA as bookends with all of our companies being the books in between. All of the books will topple off the shelf if we pull out that FDA bookend. We need to support the industry from both ends from basic science through the regulatory process, we have to be very very sure that we are buttressed from both ends.

In closing, I think that the agency got a very big boost with the appointment of Dr. Jane Henney. She has an exceptional record of leadership, both in academia and in government, an intimate knowledge of the food and drug administration having served as the deputy commissioner for operations from 1992 through 1994. I think that everybody views that the direction she has said would establish a more efficient, more responsive, more open and better understood agency. I think that from the perspective of our sector, I would like to suggest three very very important objectives for the commissioner to focus on.

Number one. To ensure that drug, biologics, and device approvals don't get sidetracked by new activities at the FDA such as tobacco and food. And Steve will comment on this. I think that one tool that should be implemented for that is a PDUFA type act for devices to increase reviewers at the FDA for the device sector.

Objective #2 is a strategic one. To continue to build a modern strategic vision for the FDA. Let me give you three objectives that CBR has identified for itself that I think are just superb and really speak to the scientific quality today within CBR. Three objectives, their own. Establish bio-markers and surrogate end points for clinical trials to make clinical trials more efficient and make approvals more streamlined. Number two. To restore protection to large segments of the adult population with biotech vaccines. The old vaccine technology is failing in many regards. Number three. The identification and use of gender specific factors that influence, or might influence drug and biologic safety and efficacy. That is the kind of strategic leadership, objective number two, the agency needs.

Number Three. A tactical counterpart to that. Building on PDUFA and FDAMA ensuring that through an inside focus on operations, efficiency and performance that the FDA continues to streamline, continues to improve its partnership with our sector. I would suggest, as Congressman, you and I have discussed on occasion, that we move toward a full time Chief Operating Officer. A partner in tactical matters with the Commissioner, to be accountable for performance for day-to-day operations for information technology systems, for hiring, training and retention of staff and that person established as a full-time person at the agency would very much complement the Commissioner who should be providing the strategic leadership.

I appreciate you being with us this morning, and I'm sorry that rambled for so long there.

Congressman BILBRAY. Well, actually there was a benefit to that, and I'll get to it in a moment. But frankly, BIOCOM was really on the cutting edge of this. Actually, I think some of you will remember—even before I was sworn in, you had me in your office and talked about how FDA reform was essential and that the institutional mind set needed to change. I am glad to know that as a result of our efforts, there has been positive movement and an evolution towards being more pro-active and cooperative on the part of the FDA. The fact is, there needs to be more.

Even Henry Waxman, with whom I have often disagreed with regarding the status quo with the FDA will say that, when it comes to Biotech. The FDA regs at that time were totally inappropriate and they needed to be reformed and attitudes needed to be reformed. And frankly, somebody who has been a real leader in this and really helped us out on the Commerce Committee happens to be Richard Burr, from North Carolina.

Richard was really involved with the modernization program, he was really there. He serves not only on the Health and Environment Subcommittee, but he also serves with me on the Oversight Subcommittee, which oversees the FDA. You guys really pushed me to get on this committee because of how important this was for San Diego and it has been great working with Richard, who is somebody who has really been on the cutting edge of this, and is somebody that we can depend on to keep pushing. Like it or not, we have to admit that California does not have all the biotech industry in the world, and that North Carolina does other things besides grow something to smoke.

Let me just sort of throw it over to . . . ladies and gentlemen, I'd really like to introduce my colleague and probably one of the shining stars of not just the Commerce Committee, but of the entire Congress, and that is my classmate, Richard Burr from the great state of North Carolina. Richard.

Congressman BURR: Thanks Brian, and my apologies for my tardiness. If California is as crazy as Washington is today, you can understand the schedule that we have had as we try to wrap up this appropriations process.

I think it was appropriate that I wasn't here to make any comments. The advantageous thing for me is to hear the questions that are raised. More importantly, to hear the experiences with post-FDAMA. I think that we continually try to update ourselves on whether the modernization act is in fact executed the same way that we intended. There is no better way than to look at the amount of applications that have been filed. To look at the increase in those that have been approved. But that is not enough. Brian and I realize that, and our colleagues realize that we need to be vigilant in our watching.

I am not sure of the makeup of our panel, but I also give high marks to the FDA so far on their ability to transition. The Janet Woodcock's of the world, and certainly to the new commissioner. I think that they have made tremendous progress. I think that we still have cultural change yet to determine whether we have started. I am committed to stay involved in it until that the cultural change is evident to all of us. One of the things that we've got to watch out for I think, and when I say "we," I mean members of Congress, as we address health care policy, you will hear more and more the question of pharmaceuticals and biologics come up in the discussion. We've got to make sure that the capital continues to flow to the biotechnology industry. We've got to make sure that our health care policies, as well as our approval agencies, are such that it makes Wall Street comfortable with the industry and with the investment that individuals make. It is because of that investment and the risks that each one of you take that we will experience products in the future that address both chronic and terminal illness that today we have no treatment for. We are here in hopes to listen and also to work hard to make sure that this act is carried out in a way to produce the product that it was intended to.

Congressman BILBRAY: I think you are coming from a position of strength to BIOCOM. With all the partisan bickering you see in Washington, at least on television, for you to come forward and for us to be able to

say that there has been a major improvement of the situation. That the FDA has made these great leaps forward gives us more credibility when we start pointing out the shortfalls that still need to be taken care of. I think that is something that we don't do enough of in Washington. In other words, pat them on the back when they have done well, so then when you point out the shortfall, you have more credibility. That it isn't just partisan sniping. I think that is something we have been able to do on the Commerce Committee because we have acknowledged that. It is good that you guys do that. Now let's hear what we should do to improve the system more.

Believe me, when we talk about this sniping against the industry, it really worries me when I start seeing people looking to use this in the next election. I was just talking to my daughter and making the comment that I'd rather forgo the political advantage and be able to be assured that my daughters don't have to face off with the scourge of breast cancer in the next 20-30 years because we did the right thing now so that we can get these breakthroughs out on the market.

But let's hear what we can do to get it done from you guys.

DUANE ROTH. Thank you very much and thank you Congressman Burr for joining our conference.

I think what we can summarize the last discussion about is that we have done that right, and that it is moving in the right direction. But there are still issues that remain with the FDA and one of them is that it's really not uniform. There are some divisions that are performing very well, and there are others that are still lagging very far behind, and that has a lot of do with people. I am going to ask Steve to discuss appropriations in a minute, but people, and Bill made a very important point, information technology. There is no reason we should be sending truck loads of books to the FDA for review when we can send it on a CD that they can have in a matter of minutes and it is so much more efficient. I just sent a drug application last week, and the boxes and boxes of paper that went are really telling about what the FDA is still dealing with.

Congressman BILBRAY. Before we leave this, and Richard you may want to jump in on this, we've actually had an initiative called the Paperwork Reduction Act. We may want to go back and take a look at that as Members of Congress, saying how can we take the intention of that legislation and apply it to this specific issue. Rather than having to reinvent the wheel. Say, "Look administration, we have this act that is already initiating these programs to avoid paperwork, and here you've got the industry that is ready to work with you to implement that act," and maybe we can plug it into this issue.

Congressman BURR. I'd also like to tell you that this is part of the cultural change that we hope to see that we haven't seen. Clearly that alarms me that we have an agency that evaluates and approves these methods that are so far technologically advanced that might not accept something on a CD-ROM has to be something cultural.

Congressman BILBRAY. My attitude is just why don't we just package it and call it the Tree Preservation Act and start going to this new high-tech.

DUANE ROTH. We could have saved a tree. Steve, why don't we turn it over to you.

STEVE MENTO. I also want to add my thanks to the other panel members and thank you Congressmen for taking the time out of your very busy schedule to listen to some of the issues that we want to present here.

I want to build my comments on both Ted and Bill's. IDUN Pharmaceuticals is one of those small companies that Ted described. We won't be filing our first I&D with the FDA until early next year. And again, I want to stress the importance that time is our enemy, so it is critical that FDA appropriations that Bill talked about are adequate, remain adequate, or are even increased, such that the gains that we have made in the last three or four years are even exceeded in the future.

It is critical to a small company with limited financing that when we submit an application, that application is rapidly reviewed, and it moves forward at an appropriate pace. As Bill said, it is key for the FDA to have sufficient personnel of the highest quality to ensure that the product review process starts and continues to move forward on a timely pace.

Critical to understand, very simple, in order to regulate a scientific industry, and biotechnology is clearly a scientific industry, we need strong scientific regulators. I will draw from a past experience I had earlier in my career when I was involved in the early days of gene therapy.

When we first started talking to the FDA about Gene Therapy, it was an industry that didn't exist. I want to commend the FDA response to our early discussions. They basically put a new group together, the Cell and Gene Therapy group, and they staffed that group with very strong scientists. I think that just looking at the safety record in that gene therapy industry over the past five or six years is not in small part due to the fact that there was strong science at both ends, both ends of the table. And even with the recent set-back in gene therapy where there was a death—the first death in a clinical trial, I think the appropriate and rapid response on both sides of the table have enabled the trials to move forward. It is very important to have strong science on both ends, and have the funding to make sure that this is possible.

And as Bill said, we are particularly concerned in our industry about so called mission creep. With funding being what it is, how will the FDA be able to respond to new initiatives that will be placed on them, new requirements with genetically modified foods, or even tobacco, with the increasing number of applications that are coming from our industry, and keep pace with the review process.

So I guess the one question I would have is, how will Congress ensure that FDA staffing, and resources are adequate to meet the ever-growing regulatory needs of the biotech industry?

Congressman BILBRAY. Well, I think, and Richard jump in, right now we are just trying to maintain appropriate oversight. Those of us on the Oversight Subcommittee are watching how these resources being allocated to the administration are being spent. We're actually able to have a substantial maintenance of our effort, and improvement of our effort even with the limits of the balanced budget, while not spending social security.

I don't see any real critical issue, in which we are going to have to reduce what is available. In fact, with you guys taking such a strong pro-active stance on user fees, which is something that Republicans often get real paranoid about, really helps us to keep this constant effort going because the industry has said that we don't mind participating in the cost as long as we get the services that we need to get these things moving along.

Richard, do you have a comment about what we need to do?

Congressman BURR. Yeah, good luck with your first application. If any agency came to

me and told me that they didn't have enough money, I would be shocked. I have yet to meet one in Washington. I think that is inherent to this town. We have a very difficult job. I think that we try to work as closely as we can with the people who are on the side of the issue that where you are, and that is the applicants. Is the process working better?

Then we try to compare and look at the changes that have been made at FDA. We are all concerned with jurisdiction creep as to the issues that the FDA is involved in. That is purely an oversight role on our part and we are going to continue to be vigilant on it. We think that when you look at the number of employees at the FDA, there has to be some change. The reduction probably frees up the slots for the talented people that all of you have expressed that they need in the process. I think that they also need to culturally address some things, such as the removal of secondary indications, where we can take that process out and possibly put that into the teaching hospitals around the country. We did part of that in FDAMA. Clearly I don't think that the FDA has moved far enough in that method. But we want to free people up so that the talented people can work on those applications that are the various breakthroughs that can happen.

We are not at a point yet that we feel that they are tied because of budget restraints, when we continue to see fifty investigators who sole job every day is to chase the tobacco industry. So we go through a little bit of a different method as to how we encourage agencies to staff up in the right places, and sometimes it takes a little longer.

Congressman BILBRAY. I think that we shouldn't move beyond this issue of what's called genetically altered food and stuff. Anybody in the BIOCOM group should not consider this to be somebody else's problem. This prejudice and this practical witch hunt against anything genetically altered is just really something that we have to confront, and we have to confront it head on.

Just because the debate is focused on foods right now, doesn't mean those of us working on medicine can allow the wolves to go after them. We need to stick together, because not only is genetic research not a threat to society, it is probably the greatest shining example of a bright future for a whole cadre of issues, from beating cancer to feeding the hungry in the world. We have to unite all of us who are well informed and understand this issue, and confront those who are the scare mongers, who will try to intimidate people with fear on this issue.

On the clinical trials issue, let me just point out a side note that the healthcare issues that were brought up last week. Every one of those managed care proposals had a clinical trials provision added to it, because Washington is finally waking up to the fact that we need to be pro-active on this issue.

DUANE ROTH. Let me move to a less controversial issue. Medicare prescription drug benefit. I am going to call on David Gollagher.

DAVID GOLLAGHER. Congressman Burr and Congressman Bilbray, we appreciate your time, you've been with us on so many issues. Both of you certainly heard, or heard right after the president's remarks yesterday about the drug industry, calling on Health and Human services to initiate a 90 day study of comparative drug prices between the United States, Mexico and Canada. The President has also rolled out his plan for providing prescription drugs for people who are uncovered in the medicare program. There are around 39 million people covered in the medicare program and around 13 million don't have any prescription drug coverage.

Our industry has been very concerned that the attacks on the pharmaceutical industry will have repercussions for raising capital and for the health of the Biotechnology and the drug discovery industry so the politicalization of this issue is bad for everyone, I guess that our great concern is that looking ahead to a very contentious election in the year 2000, how can we play a constructive role in to find an approach to the prescription drug coverage for the medicare population that is bipartisan and will work? A lot of us in the past have thought that some type of premium support would provide coverage for the elderly poor would be a good way to go but we can look back as well to catastrophic coverage when the great panthers revolted and seniors refused to pay anything for additional coverage. It seems to us that this issue is very easy for the president and others to politicize by talking about new benefits that people should have and that basic support for these benefits should come out of the companies. So I guess we would like to hear some perspective on the best approach our industry can take to take some of the air out of the political balloon and help for a more bipartisan approach to what is basically a partisan issue.

CONGRESSMAN BILBRAY. Well, that's a really tough one, because we've seen people in Washington use you guys as a punching bag. It's easy to take a cheap shot, you never get thirty minutes to respond to the Administration's attacks, it's a freebie politically. We've seen the damage it can do in the early minutes, frankly, I'm concerned about the damage it's going to do now. I think that we also need to highlight this issue about how long it takes to get the product on the market, about how few percentages are able to go from R&D to the market. The things that the administration needs to do to make pharmaceuticals more cost effective is basically to stop being obstructionists. But the other issue is the tort limitation. Being on the Mexico boarded they always say "in Mexico, we can get it for this, this, and this" well, also you can get dental care and medical care down there, but you also have a totally different type of tort system. I wish I had the answer for how we counter this, because right now I just see it as a freebie for anyone who wants to take a political cheap shot at you and I think that we really have to take a look at how to preempt it but I don't have that answer. Maybe Richard does, he's used to his industry taking all the shots and maybe he's got some good pro-active counter offensives ready to go, Richard.

CONGRESSMAN BURR. Should you be worried? Yes, I gave a speech earlier this morning and I said had I known that the modernization act would be so successful that we would move from an average of the low teens of the applications being approved in a year to fifty or sixty or potentially seventy in future years and that the market place would have so many new drugs that were still under the recover of their R&D that it's contributed greatly to the increased cost of pharmaceuticals when we look at the entire population and especially seniors. The other thing that has come into play is that technology is a two way street and many seniors and many consumers sit at home and research their illness, they are quick to go into their physicians office. They may have been on Zantac and it treated their stomach well, today they want prylsec, and a physician is almost required to fill out that prescription, and then we move from a \$10 over the counter solution to a \$110 prescription solution. So the problem has ammunition and I've learned that anytime there is a box of ammunition, Henry and our good friends on the other side will continue to use it. I will tell you that most members and most people

across the country believe that there ought to be a drug benefit with medicare. The question is are we going to try to incorporate something into the existing model or are we going to do something that is politically tough but policy right and that's to create a private sector plan to compete against medicare? As I shared with people, we never complained about the post office until fed ex was created. When it gave us something to compare it to we began to ask ourselves questions about when it needs to be there, how confident do I need to be that it gets there and how much does it cost? And when you do that, if we were to create a private sector model whether it's premium support in total or another byproduct of those talks I think we get a fair comparison that seniors and the consumers can compare medicare to. What do you do? I hope that we in Congress, especially as republicans will put out some time of blueprint before we leave. Even if it's a very sketchy one on what we'd like to accomplish and how we'd like to do it on medicare restructuring and the incorporation of drug options as we come back next year. If not then the President will frame what we do and the box that we are in the State of the Union address. How can the industry help us and help themselves? It's to put the image of who you are and what you do in front of the American people. It's to take the scientists out of the lab and put them into the lecture room or the town meeting or the television. Talking about the breakthroughs that they worked on and the real lives that the breakthrough affects. The American people are willing to pay as long as they know what they're going to get and I think this is one area where the people would be willing to chip in to continue the level of research and development. If we allow the President to frame the debate and the others to set the rules, I can assure you that the number one thing I look at, which is capital, will find another industry that is more attractive in from the standpoint of their overall return and we will have a tough time in the biotechnology area.

Congressman BILBRAY. I think that you need to really focus this and be ready to do your own campaign based on things like Biotech. It's not about money, it's about lives. If you compare how much the average American family spends on a car as opposed to pharmaceuticals or breakthrough drugs it's not even comparable because you've got it packaged a certain way.

The republican proposal I'm seeing coming down, and I think that both the Senate and the House is moving, is the issue of having the needy seniors helped with this cost and really focus on them as opposed to the position that all seniors, even if they're millionaires, should be able to be subsidized by the federal government.

Congressman BURR. And I want to caution the entire group, don't fall prey to anything other than the administrations intent and the Democrats on the Commerce Committee, most of them, that the first step is to institute price control. And those price controls, whether they're instituted at the state level or whether they're instituted by the federal government, then they have the hoops to redesign the system however they want it. And clearly those price controls, being the first, thing have a great impact on where the capital goes in the future.

Congressman BILBRAY. The would initiate these prices controls and you would watch, in an industry that already has investment concerns and problems, then when it starts hurting more, it justifies Washington sticking it's nose in further. So you've got to watch these things because a lot of these crisis situations are created in Washington and not necessarily without the intention that

Washington would have to step in and get involved. I know that sounds like some kind of conspiracy issue, but I think that those of you who have worked in the industry and have seen the reaction of what Washington can do would agree that this is not a Democrat or Republican issue; it's just common sense that we ought to be allies not enemies.

DUANE ROTH. We certainly will stay engaged in this issue, it's absolutely crucial to our industry and we really hate to see the way things turned yesterday. That was not helpful and puts us in a very defensive position again. We're certainly going to work on this issue and stay in touch with our constituents. Our constituents are patients. When any one tries to drive a wedge between the industry and the patients who need these products, everyone loses. I think that's what we need to be working on.

Congressman BILBRAY. I think you have to point out that you've got elected officials who were on the defensive this week about Social Security. And the best defense, in a lot of their attitudes, was to go on the attack. And so, they had a position that wasn't very defensible on Social Security and so they came up with a proposal and used you guys as a punching bag and as some way to justify their agenda. They had to create an enemy and they were using you, and frankly I'm sorry to see it happen too but please understand that you should be complemented that they were on the defensive so they were going after you to take the heat off of them which is a sad fact about this.

DUANE ROTH. I'd like to move to a related issue and this is one that is very key for our industry and that's getting reimbursed once we finally get through the better behaving FDA, how do we get paid for our products and this is another major medicare issue. So I'm going to turn to John Dobak who's going to introduce the subject and get your comments.

JOHN DOBAK. Thank you and thank you folks for taking the time. I represent the medical device community. We often get lumped with Biotechnology but there are some differences between our industries as it relates to a certain issue, and I think it's important to realize that there is a difference between medical device and Biotechnology. This particular issue I think pertains to both industries. I'm going to focus on the Medical device side of these issues however. First, I'd like to note that HIMA has a seven point plan that deals with reimbursement reform and it's a very complex issue and I would encourage some review of that plan because it addresses many of the dilemmas faced by medical device companies. I'd also like to recognize that some of these issues and the solutions proposed by HIMA are addressed in a bill proposed by Orin Hatch and Jim Ramstead. The most important piece that's partly covered in this legislation is that it is trying to establish a more efficient and rapid reimbursement process for medical device companies and other life science companies after they obtain FDA approval. FDA approval is really the pinnacle of any life sciences company or medical device company, it really represents the establishment of the clinical benefit and safety of a product and one would think that with that FDA approval we would see a dissemination of the technology the profitability of the company and additional innovation of that particular company. Unfortunately, because of problems with the medicare reimbursement in particular, the technology is not utilized often times many years after the product was initially approved. I think a case in point is cardiac stents. Cardiac stents are these tubular, cage-like structures that are used to prop open the arteries. These were approved in 1994, however reimbursement

was not established until 1997. At the time that the product was approved only about 15% of patients had access to this lifesaving technology. Once appropriate reimbursement was established, the use of the procedure exploded to some 85% or 90% now of interventional cardiology incorporate stenting. My concern is that I think a similar situation is going to evolve with stroke. Stroke afflicts about 700,000 patients each year in this country and that it costs the healthcare system in excess of 30 billion dollars. It's a devastating problem, it leaves people paralyzed, unable to speak and comprehend speech and even blind. Currently there's a bevy of medical device companies that are developing therapies to treat strokes. Currently there's a bevy of medical device companies that are developing therapies to treat strokes. Unfortunately the current reimbursement is only \$3000-\$4000 and the average length of stay in a hospital for a stroke victim is 5 days, that \$3000-\$4000 will not cover that hospital stay let alone new technologies that are going to prevent the devastating consequences that come from a stroke. I think this brings up a very important point about the fundamental structure of medical reimbursement and that's that medicare focuses on short term cost controls in favor of long term cost saving. I think that technology will never prove to itself to be cost efficient when the reimbursement structure focuses on this short term cost control. I would just be interested to know if there's going to be support for this bill presented by Senator Hatch and Congressman Ramstead and hear your comments about your position.

Congressman BURR. Well, I'll go first. I'm not sure about the specifics in Senator Hatch or Congressman Ramstead's bill, but it gets to the heart of what private insurance companies refer to as experimental. Those drugs or devices that have been approved by the FDA but for, some unknown definition, still have not been approved for reimbursement whether it's medicare or the private sector. I attempted, in the patients bill of rights legislation, and all the substitutes, to make sure that we had a new definition for experimental which stopped when the FDA approved it. It could no longer be experimental. It meant that medicare and companies had to specify anything that was not covered but was not under the umbrella of experimental. I don't think there's any question that the intermediaries dragged their feet sometimes companies are pushed from one entity to another, who are trying to get a new DRG code or whether they're going to be lumped in an unexisting one and in many cases the reimbursement does not represent the technological advances that have been made. I think it's clear that we're on a generation of heart stent that some of the countries of the world would look at and laugh at based on where they have progressed to. That's part of the approval process. When I look at the reimbursements I clearly don't think that it considers the technological changes that have gone into product advancements, especially in devices, and the reimbursements reflect that. I think it cries for overall medicare reform, not just in the drug model but a true competitive model. One last point, it's one that you touched on which I would call disease management. I remember when we sold for the first time the concept of medicare coverage for diabetes screening for seniors. It took 2½ years to convince some of our colleagues that it was cheaper long term to pay for this monitoring up front because it was cheaper than amputation and blindness. They now believe that and they believe it about mamograms and they believe it about PSAs. We need to start the cultural change and make people understand that

there are drugs and devices that also save money long term with a cost up front. That, again, is a cultural problem that we're going to have with this agency.

Congressman BILBRAY. It's a problem, not just with this agency, but with the entire federal system, judging what is a priority and what is a benefit. A decade ago we were bashing the private sector for looking to the next quarter. Remember we were talking about the Asians looking at the long range. The fact is, we've seen a major reform in the private sector. When Richard and I came here to Washington we were looking at this issue that the whole mentality of what we judge as a benefit or a cost is so antiquated; and it still is. You have the OMB scoring, and you have the Congressional Budget Office scoring, that is really sort of like what's here and now. A good example is, the drugs that are being used for trying to reduce the effects of strokes. I just lost a father to a stroke, so I understand. He was two years in a wheel chair—could not speak—needed to have constant service. But, the drug that may help to avoid long term damage isn't really considered a major savings because you still spend up 3 to 5 days in the hospital. So they just sort of go right over that. I think that we need to try to raise the sophistication of what we project as expenditures or savings. That could go beyond the here and now and the short term. And this town doesn't do that very well. A good example, was the question about capital gains taxes, and reducing them. In this town the projection was that it was going to be a net negative to the treasury. Well everybody knows that since we've done that there's been a huge plus up and it's been one of the biggest reasons why we have a surplus. But the town does not know to change it's institutional structures and it's institutional background to reflect reality. And I guess from a science background we would say the model here in Washington is being used to judge your industry and to judge service and cost benefit ratios. The model is a one dimensional obsolete model that we have to replace with a whole new modeling system. And maybe we can get these guys who are working on global climate change to work out a model that will be able to sell to the congress so they will have something that reflects reality better than what we have now. This thing runs deeper than just HCFA, it's the entire structure that we are trying to change.

Congressman BURR. Brian if I could, I've been asked to come back up to the Hill, and I do want to allow if there is one additional question that may or may not be on the agenda that somebody has of me before I leave, I wanted to give you an opportunity to ask it.

DUANE ROTH. Let me quickly, since you're from North Carolina, and there are some farmers there I think. Genetically modified organisms, and Brian touched on it earlier but this is an area that we do understand has a potential to creep over into the health care as well as the agriculture scare that is going on now. And I'm going to call on Joe to sort of introduce us to that mess.

JOE PANETTA. Congressman Bilbray congressman Burr, thank you very much for joining us, and on behalf of all the members of BIOCOM, I would like to thank you as well. Congressman Bilbray, over the years we know that you have been interested and involved in our issues and we've welcomed that participation on your behalf and we really look forward to working with you in the future. We haven't talked much, through BIOCOM, about the issue of genetically food, although you and I have talked about it on occasion. And it's an issue that certainly become much more in the forefront in recent weeks and months with some of the concerns

been raised in Europe over the acceptability of genetically engineered foods. And it's an issue that has a direct impact on our farmers across the country here in San Diego certainly congressman Burr in North Carolina and with a lot of the research that's been going on in San Diego and North Carolina through companies that are involved in this area has a direct impact on us as well. But the two issues that I really want to touch on here are in direct relevance to you in the Commerce Committee, and those have to do with the acceptance of exports of our crops and the impact that that could potentially have on our ability to adopt this technology through our farming systems in the U.S. and also for the potential for there to be a backlash here in the United States as a result of some of the controversy that's been raised in Europe. You both know, I'm sure, that farmers have increased difficulty in adopting this technology due to the fact they've had concerns about acceptance of products in Europe and Japan. The regulations that have been implemented particularly in Europe on GM3 imports in the United States have really deterred farmers in large part from adopting this technology due to their concern. It's causing a huge headache for our farmers here in the U.S. it's raising concern with our large agricultural research companies relative to their investments in this technology in the future. And if we look at the loss in trade just last year in this area as a result of some of these negative regulations that have been implemented we're looking at \$200,000,000 in crops that had to sold elsewhere as a result of European negativity on this issue. The fear that's been aroused through the activities of the activists groups in Europe could potentially end up flowing onto shore here in the U.S. and we think that what's really exacerbating these issues are the very regulations that are being created in Europe that are presumably there to deal with the issues themselves. In fact, what we are seeing instead is the reverse and the public's concerns are being raised even more. What that's causing us to see in the U.S. is that the technology is being slowed down and in fact, farmers are having to hang on to older techniques as a result. I'll be brief, because Congressman Burr I know you have to get back up to the Hill. But, the concern here has more to do with the fact that we need your support in terms of any regulations that might be considered that goes beyond the already very stringent system that we have in the U.S. And the need to implement science based systems outside the U.S. as something that needs to be focused on more than the need to focus on a system that is very adequate. I think Bill Rastetter and Steve Mento both touched on the concern about the resources that we have at FDA and the need to focus these resources on the approval of some of the new pharmaceutical and device products that are in the system. The need is not there to focus those resources on a process at the FDA that is already adequate. As far as labeling goes, that's another issue that's been discussed very much recently with regard to public concern. I think from our standpoint we felt for a long time that the labeling system that the FDA adopted years ago is an adequate system to deal with any food regardless of the technology through which it's produced. And this is simply one more way of producing food, but the processes that are in place there are adequate. So, in summary we'd ask you to continue to support the efforts through FDA, USDA, and EPA to regulate these products and in terms of exports, to show strong support for our opportunity to show better crops to improve yields and to be able to export these products throughout

the world to the benefit of our farmers here in the U.S. Thanks very much for your time.

Congressman BURR. Well, I appreciate the question. Yes we do have farmers in North Carolina, most of them are still under water, unfortunately. But we will bounce back and I'm hopeful that we will at least pay attention to what's happened in Europe. I've been there twice in the last twelve months. This has been one of the topics of discussion every time I've been there. Clearly this is not a trade policy breakdown, it's an attempt to continue subsidies that we tried to negotiate out. And when they finally hit on the food safety it took hold with consumers all across the EU. The concern is, and should be, what happens when that same type of campaign comes across the ocean and starts in this country and we've begun to see this already with the attempt on baby foods, where most companies have pulled many GMO products out of it. I think we've got to be very conscious of the good science that's needed. And I would hope that we would spend our time with the EU now trying to set the standards for good science and backdoor into standards that would allow us to have those markets for export purposes. I'm sure the French would be alarmed to find out today that they currently use genetically modified grapes in the majority if not all of their wine. I'm sure that they would argue that rubbing it on as opposed to injecting it in is two different things, but reality is reality. I think that this is an area of great concern not only to those of us on Commerce. I know that Senator Pat Roberts has spent a tremendous amount of time on it, and is concerned that if we are not vigilant, and if we don't watch this, that we will no longer be able to produce the world's food here in this country because of what can happen. As the member of Congress that has the Novartis agricultural headquarters for this country, it is alarming for me, and I know the impact potentially not only on North Carolina's farmers, but our ability to be the world's supplier.

Congressman BILBRAY. I think that we and everybody, there are those in the medical field that say this is an ag problem just as much as it was those to make sure you didn't go after genetic research. Remember that scare tactic, it may be good politics, but it was bad science. Just like Richard and I worked with a guy name Ganske about this issue of radiating meat, which is the safest thing you can do to stop the disease carrying potential of beef. I think we need to put together a coalition and I want to tell you this, I was on the Floor today talking to my corn growers in the Midwest. I need you to give me that information because we need to get Archer Daniels Midland and the rest of the big corners who are fighting us on other issues, that they ought to be working with us on this issue. I think that there is a flip side here too. The environmental community, rather than being your enemy should be your biggest ally, except that they don't have the facts. We're talking about the ability to use genetic research as a way of reducing the use of herbicide eliminating or reducing the substantial use of insecticide that are polluting the environment. I think that we need to talk about this. And we need to confront Europe and say, "You want to play this game?" We can look at the herbicide or the insecticides that you are using and say that we don't want any of your products that you are using those in. If they want to play this tough game, I think we need to get the facts out there. And I think that the proactive approach—I propose that what we ought to be talking about up in the Northwest right now and what the administration should be pushing for is not what is genetically altered, but an international interpretation of what is organic. If you want to eat

food that was grown and processed exactly the way your great great grandfather did, 150 years ago, then I think we can find a common purpose. But the talk about genetically altered is such a ruse because the one thing that we talk about is domesticated plants. If we didn't have, quote unquote, altered plants, our corn would be about three inches long the way the Anasazi a thousand years grew their corn. And I think that we need to get this out. So the environmental community has to be confronted with the fact that rather than attacking and fearing the genetic alterations we should be moving towards it to stop all the spin off pollution that we've seen for decades. I think that we got a big question here, but we all need to pull together. I ask the medical people to take a look at the ag people because we need the ag people to help us with the medical side and with the device side. We are all in this together. We're the people with the facts. We have to stand up for them; even in the short run, politically, it doesn't seem expedient. Outside of that, I really don't have an opinion about this whole issue.

DUANE ROTH. We will certainly give you the information and keep working on this issue it's a very important one. Let met give you a chance to sign off here, I know that you have to get back to more important business. But, from our side thank you very much for taking the time, both of you, to spend with us today.

Congressman BILBRAY. Well, thank you very much for how proactive that you guys have always been. And one thing that is great about the BIOCOP people and your entire group is that rather than sit back and then complain that things didn't work out, you've been very pro-active. I think that one

of the best things that we've done is to see the kinds of things that you put into it. I couldn't help but think about the device issue and our tort reform device that was named after your nephew. It's something that I think has been one of our great successes. Thanks a lot, and continue the work. One thing that I really like about it is that you can look at this panel and you can see that they go across the political spectrum, but they stick together on one issue. The well being of Americans is something that we all have to cooperate on and find answers for, rather than always pointing fingers and finding problems. So thanks again for taking the time. This was a very, very great way to be able to communicate. And hopefully Richard and I can go back and to carry your message and not just to the Commerce Committee, but to the House of Representatives. Thank you very much for the time.

DUANE ROTH. Thank you. And let me just conclude by thanking my panel members for taking time to help with this. Thank you very much.

PRESCRIPTION DRUG PRICING IN THE 20TH CONGRESSIONAL DISTRICT OF TEXAS: AN INTERNATIONAL PRICE COMPARISON

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. GONZALEZ. Mr. Speaker, I insert the following for the RECORD:

TABLE 1.—SENIORS IN REP. GONZALEZ'S DISTRICT PAY SIGNIFICANTLY HIGHER PRICES FOR PRESCRIPTION DRUGS THAN CONSUMERS IN CANADA OR MEXICO

Prescription drug and dosage form	Canadian price	Mexican price	20th District price	Canada-20th District price differential		Mexico-20th District price differential	
				Percent	Dollar	Percent	Dollar
Zocor: 5 mg, 60 tab	\$46.17	\$67.65	\$113.94	147	\$67.77	68	\$46.29
Prilosec: 20 mg, 30 cap	55.10	32.10	129.49	135	74.39	303	97.39
Procardia XL: 30 mg, 100 tab	74.25	76.60	142.17	91	67.92	86	65.57
Zolof: 50 mg, 100 tab	129.05	219.35	238.69	85	109.64	9	19.34
Norvasc: 5 mg, 90 tab	89.91	99.32	127.77	42	37.86	29	28.45
Average differential				100		99	

These price differences can have substantial impacts on the cost of a prescription. Prilosec, and ulcer medication manufactured by Merck, was the top prescription drug in dollar sales in the United States in 1998. An uninsured senior citizen in Rep. Gonzalez's district must pay over \$70 more than a consumer in Canada and nearly \$100 more than a consumer in Mexico for a one month supply of this drug. The total difference between the price a senior in Rep. Gonzalez's district would pay for a year's supply of Prilosec compared to a similar consumer in Mexico is over \$1,000. The difference between the price a senior in Rep. Gonzalez's district would pay for a year's supply of Prilosec compared to a similar consumer in Canada is nearly \$900.

In the case of two additional drugs considered in the study, Synthroid and Micronase, senior citizens in Rep. Gonzalez's district were forced to pay more than two times, and in one case over five times, the prices charged to Canadian or Mexican consumers.

This is the second congressional report on drug price discrimination requested by Rep. Gonzalez. The first report showed that senior citizens in Texas's 20th Congressional District are forced to pay over twice as much for their prescription drugs as the drug companies' favored domestic customers, such as HMOs and the federal government. This report shows that senior citizens in Rep. Gonzalez's district are also forced to pay twice

as much for their prescription drugs than are consumers in other countries. Taken together, the two studies indicate that drug manufacturers engage in a consistent pattern of price discrimination, resulting in prices for senior citizens and other consumers who buy their own drugs that far exceed those paid by other purchasers in the United States and other countries.

I. INTRODUCTION

In the United States, drug manufacturers are allowed to discriminate in drug pricing. As the Congressional Budget Office reported in a 1998 study, "[d]ifferent buyers pay different prices for brand-name prescription drugs. . . . In today's market for outpatient prescription drugs, purchasers that have no insurance coverage for drugs, pay the highest prices for brand name drugs." In 1999, the Federal Trade Commission reached the same conclusion, reporting that drug manufacturers use a "two tiered pricing structure" under which they "charge higher prices to the uninsured."

This discriminatory pricing imposes severe hardships on senior citizens. As documented in the previous report released by Rep. Gonzalez, senior citizens often have the greatest need for prescription drugs, but the least ability to pay for them. The elderly in the United States, who make up 12% of the population, use one-third of all prescription drugs, with the average senior using 18.5 pre-

EXECUTIVE SUMMARY

This report, which was prepared at the request of Rep. Charles A. Gonzalez, compares prescription drug prices in Texas's 20th Congressional District with drug prices in Canada and Mexico. The report finds that senior citizens and other consumers in Rep. Gonzalez's district who lack insurance coverage for prescription drugs must pay far more for prescription drugs than consumers in Canada and Mexico. These price differentials are a form of price discrimination. In effect, the drug manufacturers are discriminating against senior citizens in Rep. Gonzalez's district by denying them access to prescription drugs at the low prices available to consumers in Canada and Mexico.

This study investigates the pricing of the five brand name prescription drugs with the highest dollar sales to the elderly in the United States. The study compares the prices that senior citizens who buy their own prescription drugs must pay for these drugs in Rep. Gonzalez's district with the prices that consumers who buy their own drugs must pay for the same drugs in Canada or Mexico. The study finds that the average prices that senior citizens in Rep. Gonzalez's district must pay are 100% higher than the prices that Canadian consumers pay and 99% higher than the prices that Mexican consumers pay (Table 1).

scriptions annually. They also frequently have inadequate insurance coverage or no insurance coverage at all to pay for these drugs. Approximately 75% of Medicare beneficiaries lack dependable, private-sector prescription drug coverage, and 35%—over 13 million seniors—do not have any insurance coverage for prescription drugs. As a result, many seniors cannot afford the high costs of prescription drugs. One study estimated that more than one in eight seniors were forced to choose between buying food or paying for prescription drugs.

In part to protect their citizens from these hardships, the governments of Canada and Mexico do not allow drug manufacturers to engage in price discrimination. In Canada, approximately 35% of prescription drugs are paid for by the government for beneficiaries of government health care programs. In Mexico, 30% of prescription drugs are paid for by the government under similar circumstances. The rest of the population in these two countries must either buy their own drugs or obtain prescription drug insurance coverage. To prevent drug companies from charging individual consumers excessive prices, both the Canadian and Mexican governments regulate prices for patented prescription drugs. Drug manufacturers do not have to sell their products in Canada or Mexico, but if they do, they cannot sell their drugs at prices above the maximum prices established by the government.

This report is the first effort to compare prices that senior citizens in Texas's 20th Congressional District must pay for prescription drugs with the prices at which the same drugs are available in Canada and Mexico. It finds that senior citizens in Rep. Gonzalez's district who lack prescription drug benefits must pay far more for prescription drugs than consumers in Canada and Mexico. The drug companies thus appear to engage in two distinct forms of price discrimination: (1) as documented by Rep. Gonzalez's first report, the drug companies are forcing senior citizens in Rep. Gonzalez's district to pay more for prescription drugs than more favored U.S. customers, and (2) as documented in this report, the drug companies are forcing senior citizens in Rep. Gonzalez's district to pay more for prescription drugs than consumers in more favored countries.

II. METHODOLOGY

A. Selection of Drugs for this Survey

This survey is based primarily on a selection of the five patented, nongeneric drugs with the highest annual sales to Older Americans in 1997. The list was obtained from the Pennsylvania Pharmaceutical Assistance Contract for the Elderly (PACE). The PACE program is the largest out-patient prescription drug program for older Americans in the United States for which claims data is available. It is used in this study, as well as by several other analysts, as a proxy database for prescription drug usage by all older Americans. In 1997, over 250,000 persons were enrolled in the program, which provided over \$100 million of assistance in filling over 2.8 million prescriptions.

Based on the PACE data, the five patented, nongeneric drugs with the highest sales to seniors in 1997 were: Prilosec, an ulcer and heartburn medication manufactured by Astra/Merck; Norvasc, a blood pressure medication manufactured by Pfizer; Zocor, a cholesterol-reducing medication manufactured by Merck; Zoloft, a medication used to treat depression manufactured by Pfizer; and Procardia XL, a heart medication manufactured by Pfizer.

In addition to the top five drugs for seniors, this study also analyzed two additional prescription drugs, Synthroid and Micronase. Synthroid is a hormone treatment manufactured by Knoll Pharmaceuticals, and Micronase is a diabetes medication manufactured by Upjohn. These popular prescription drugs were included in the study because the earlier analysis indicated that there is substantial discrimination in the pricing of these drugs.

B. Determination of Average Retail Drug Prices in Texas' 20th Congressional District

In order to determine the prices that senior citizens are paying for prescription drugs in Rep. Gonzalez's congressional district, the minority staff and the staff of Rep. Gonzalez's congressional office conducted a survey of 11 drug stores—including both independent and chain stores—in his district. Rep. Gonzalez represents the 20th Congressional District in southern Texas, which includes central San Antonio and rural areas to the west and southwest of the City.

C. Determination of Average Drug Prices in Canada and Mexico

Prices for prescription drugs in Canada and Mexico were determined via a survey of pharmacies in Canada and Mexico. At the request of the minority staff of the Committee on Government Reform, the surveys were conducted by the Office of NAFTA and Inter-American Affairs of the U.S. Department of Commerce. In Canada, pharmacies were surveyed in three provinces; Ontario, British Columbia, and Nova Scotia. In Mexico, pharmacies were surveyed in Monterrey and Guadalajara.

Prices from Canadian pharmacies were determined in Canadian dollars, and prices from Mexican pharmacies were determined in pesos. All prices were converted to U.S. dollars using commercially available exchange rates.

D. Selection of Drug Dosage and Form

In comparing drug prices, the study generally used the same drug dosage, form, and package size used by the U.S. General Accounting Office in its 1992 report, *Prescription Drugs: Companies Typically Charge More in the United States Than in Canada*. For drugs that were not included in the GAO report, the study used the dosage, form, and package size common in the years 1994 through 1997, as indicated in the Drug Topics Red Book. The dosages, forms, and package sizes used in the study are shown in Table 1.

All prescription drugs surveyed in this report were available in Canada in the same dosage and form as in the United States. In Mexico, several drugs were not available in the same dosage and form. In this case, prices of equivalent quantities were used for the comparison. For example, in the United States the drug Zocor is commonly available in containers containing five mg. tablets, while in Mexico Zocor is available only in containers containing ten mg. tablets. To compare Zocor prices, this report compared the cost of 60 five mg. tablets of Zocor in the United States with the cost of 30 ten mg. tablets in Mexico. Several drugs are also sold under different names in Mexico. The Mexican equivalents of U.S. brand names were determined using the 44th edition of the *Diccionario de Especialidades Farmaceuticas* (1998).

III. FINDINGS

A. Senior Citizens in Texas's 20th Congressional District Pay More for Prescription Drugs Than Consumers in Canada

Consumers in Canada obtain prescription drugs in one of two primary ways. Approximately 35% of the prescription drugs sold in Canada are paid for by the provincial governments on behalf of senior citizens, low-income individuals, and other beneficiaries of government health care programs. The rest of the population in Canada must either buy their own drugs or obtain prescription drug insurance coverage.

The regulatory system in Canada protects individual consumers who buy their own drugs from price discrimination. The Patent Medicine Prices Review Board (PMPRB), established under the Ministry of Health by a 1998 law, regulates the maximum prices at which manufacturers can sell patented medicines. If the Board finds that the price of a patented drug is excessive, it may order the manufacturer to lower the price, and may also take measures to offset any revenues the manufacturer has received from the excess pricing. Pharmacy dispensing fees for individual retail customers are not controlled by the government. Each pharmacy sets its unusual and customary dispensing fee and must register this fee with provincial authorities.

This study indicates that the Canadian system produces prescription drug prices that are substantially lower in Canada than in Rep. Gonzalez's district than in Canada (Table 1).

For all five drugs, prices were higher in Rep. Gonzalez's district. For two drugs, Zocor and Prilosec, the prices in Rep. Gonzalez's district were more than twice as high as the Canadian prices. The highest price differential among the top five drugs was 147%, for Zocor, a cholesterol medication manufactured by Merck.

For other drugs, price differentials were even higher. Synthroid is a hormone treat-

ment manufactured by Knoll Pharmaceuticals. For this prescription drug, senior citizens in Rep. Gonzalez's district must pay an average price of \$31.54, while consumers in Canada pay only \$10.53—a price differential of 200%. For Micronase, a diabetes drug manufactured by Upjohn, senior citizens in Rep. Gonzalez's district pay prices that are 306% higher than Canadian consumers.

Prilosec, the ulcer medication manufactured by Merck, was the top prescription drug in dollar sales in the United States in 1998. An uninsured senior citizen in Rep. Gonzalez's district pays \$74.39 more than consumers in Canada for a one month supply of Prilosec—an annual price difference of nearly \$900. Similarly, a senior in Rep. Gonzalez's district pays nearly \$70 more than a senior in Canada for a two month supply of Zocor, an annual difference of over \$400, and over \$100 more than a senior in Canada for a 100 day supply of Zoloft, an annual difference of nearly \$400.

The findings in this report are consistent with the findings of other analyses. In 1992, GAO looked at the prices that drug companies charge wholesalers for prescription drugs in the United States and Canada. The results of the GAO study showed that, for the top five drugs in the United States, the average differential between the price in the United States and the price in Canada was 79%. According to GAO, "government regulations and reimbursement practices contribute to lower average drug prices in Canada. In setting prices, manufacturers of patented drugs must conform to Canadian federal regulations that review prices for newly released drugs and restrain price increases for existing drugs."

Similarly, in 1998, Canada's Patented Medicine Prices Review Board performed a comprehensive review of prices in Canada, the United States, and six European countries. The Board found that prescription drug prices in the United States were 56% higher than prices in Canada, and that prices were even lower in other industrialized countries. Prices in the United States were 96% higher than prices in Italy, 75% higher than prices in France, 55% higher than prices in the United Kingdom, 47% higher than prices in Sweden, and 40% higher than prices in Germany. The United States had the highest prices among the eight industrialized nations that were part of the survey.

GAO also investigated whether the price differential it observed was attributable to differences in the costs of production and distribution. GAO found that drug costs—such as research and development—are not allocated to specific countries, and the costs of production and distribution make up only a small share of the cost of any drug. The study concluded that "production and distribution costs cannot be a major source of price differentials."

B. Senior citizens in Texas's 20th congressional district pay more for prescription drugs than consumers in Mexico

As in Canada, consumers in Mexico also obtain prescription drugs in one of two primary ways. Approximately 30% of the prescription drugs sold in Mexico are purchased by the government and provided to eligible citizens at a significant discount through the social security system. The rest of the population in Mexico must either buy their own drugs or obtain prescription drug insurance coverage.

The regulatory system in Mexico, like the system in Canada, protects individual consumers who buy their own drugs from price discrimination. Drug prices and rates of price increases in Mexico are controlled by the Ministry of Commerce and Economic Development (known by its Spanish acronym,

Secofi) under the Pact For Economic Stability and Growth. Under the Mexican law, manufacturer and the government engage in negotiations to determine the nationwide maximum prices for prescription drugs. Pharmaceutical products are prepackaged and stamped with the maximum sales price, guaranteeing consist prices throughout the country.

This study indicates that the Mexican system produces prescription drug prices that are substantially lower in Mexico than in Rep. Gonzalez's district. Average prices for the top five drugs for seniors were 99% higher in Rep. Gonzalez's district than in Mexico (Table 1.) Prices for all five drugs were higher in Rep. Gonzalez's district. The highest price differential among the top five drugs was 303%, for Prilosec, an ulcer medication manufactured by Astra/Merck.

For other drugs, price differentials were even higher. In the case of Micronase, senior citizen in Texas's 20th Congressional District pay an average price of \$54.81 while consumers in Mexico pay only \$9.48—a price differential of 478%.

In dollar terms, uninsured senior citizens in Rep. Gonzalez's district pay nearly \$100 more than consumers in Mexico for a one month supply of Prilosec—an annual price difference of over \$1,100. Similarly a senior in Rep. Gonzalez's district pays over \$45 more than a senior in Mexico for a two month supply of Zocor, an annual difference of over \$250, and over \$65 more than a senior in Mexico for a 100 day supply of Procardia XL, an annual difference of over \$200.

These findings are consistent with those of other experts. While there have been few direct comparisons of prices in the United States and Mexico, the Congressional Research Service has found that differences in the regulatory systems between the two countries result in the large price differentials. CRS concluded that "of greater importance in explaining price differentials in drug prices in Mexico, and have been for some time."

INTRODUCTION OF STEWARDSHIP, EDUCATION, RECREATION AND VOLUNTEERS FOR THE ENVIRONMENT (SERVE) ACT OF 1999

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. UDALL of New Mexico. Mr. Speaker, today I rise in support of the Stewardship, Education, Recreation and Volunteer (SERVE) Act of 1999. This legislation, introduced by my colleague and cousin, Mr. UDALL of Colorado and which I am proud to be a co-sponsor of, will energize and expand existing efforts to enhance the outdoor, education and recreation experiences of the great outdoors for many Americans.

Our Nation's national parks, national forests, wildlife refuges, recreation areas and public lands are enjoyed by nearly two billion visits each year. These wonderful areas provide Americans with sightseeing, wildlife watching, hunting, fishing, hiking, and camping opportunities, just to name a few. In my District alone, visitors can experience a wide range of education and outdoor recreation opportunities. From the Chaco Culture National Historical Park, which provides Americans a brief glimpse into the daily life of the region's first inhabitants, to the Bureau of Land Manage-

ment's Bisti/De-Na-Zin Wilderness with its dramatic moon like landscape, to the high country mountains and streams of the Santa Fe National Forest that provide excellent hunting, fishing and camping opportunities.

Visitors to our Nation's public lands often don't realize that behind the scenes of these magnificent natural and historical areas that visitors have come to see and learn about, are a cadre of volunteers who have selflessly given their time and expertise to the American people to make their experiences memorable. For without the hard work, dedication and enthusiasm of the volunteers, Federal land management agencies would not be able to stay ahead of the maintenance and enhancements our national treasures require.

In the 1980's, a program was established to encourage Americans to become more involved in the management and protection of their lands for current and future generations. By all accounts, this program showed promise. Federal land management agencies such as the National Park Service, U.S. Forest Service, Bureau of Land Management, and U.S. Fish and Wildlife Service were given a long needed tool to recruit and recognize individuals who donated their energy, time and expertise to enhance our federal and public lands for all Americans to enjoy.

Unfortunately, other priorities and funding issues have placed this program on the back burner. It is now time to revitalize, re-energize and expand our Nation's volunteer and educational outreach program.

Mr. Speaker, this legislation would not only restore a past volunteer program, but expand and strengthen it by providing more powerful tools to Federal land managing agencies. This legislation would direct the Secretary of Agriculture and the Secretary of the Interior to establish a national stewardship award program to recognize individuals, organizations and communities who have distinguished themselves by volunteering their time, energy and commitment to enhancing the priceless legacy of our Nation's public lands. As a minimum under this legislation, the Secretaries would establish a special pass to all our national parks, forests, refuges and other public lands to recognize volunteers for their exemplary efforts.

Mr. Speaker, this legislation would also encourage an attitude of land and resource stewardship, and responsibility towards public lands by promoting the participation of individuals, organizations and communities in developing and fostering a conservation ethic towards the lands, facilities and our natural and cultural resources. Specifically, this legislation would encourage Federal land management agencies to enter into cooperative agreements with academic institutions, State or local government agencies or any partnership organization. In addition, the Secretaries would be enabled to provide matching funds to match non-Federal funds, services or materials donated under these cooperative agreements.

Providing educational opportunities has been one of America's greatest achievements and is one of the greatest gifts one generation can give to the next generation. This legislation encourages each Federal land management agency to play a role in education by cooperating with States, local school districts and other education oriented entities to (1) promote participation by students and others in volunteer programs of the Federal land

management agencies, (2) promote a greater understanding of our Nation's natural and cultural resources, and (3) to provide information and assistance to other agencies and organizations concerned with the wise use and management of our Nation's Great Outdoors and its natural and cultural resources.

Mr. Speaker, I am confident that this chamber realizes the importance of this bill in recognizing the invaluable role volunteers play in the stewardship of our Nation's cultural and natural resources. Therefore, I ask immediate consideration and passage of this bill.

EAST GRAND RAPIDS HIGH SCHOOL NAMED NEW AMERICAN HIGH SCHOOL

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. EHLERS. Mr. Speaker, I rise today to honor the students, staff and community that represent East Grand Rapids High School in my congressional district. It is my pleasure to honor all of those in the East Grand Rapids family for their commitment and dedication which resulted in being named a 1999 New American High School by the U.S. Department of Education and the National Association of Secondary School Principals. The award recognizes schools where all students are expected to meet challenging academic standards and acquire the communication, problem solving, computer and technical skills necessary to pursue careers and higher education.

To even be considered as a New American High School there are many hurdles that a school must successfully pass. Applicants must supply members of a steering committee with documentation that they have undertaken standards-based, locally driven reform efforts that positively affect key indicators of school improvement and student success. Among the documentation items they must present are proof of increases in student achievement, increases in student enrollment at postsecondary institutions, increases in student attendance, and reductions in student dropout rates.

East Grand Rapids is a model school when it comes to challenges and performance. High expectations are set for all students because of the high motivation level of the student body. The numbers speak for themselves. Based on statistics from the 1998 school year, approximately 94% of East Grand Rapids students enrolled in colleges or universities. The school registered a dropout rate of less than 1% and an attendance rate of 97%. Academic test scores are also the highest in the state of Michigan in mathematics, reading, and writing.

Mr. Speaker, I am delighted to take this opportunity to highlight the positive happenings at East Grand Rapids High School under the leadership of Superintendent Dr. James Morse and Principal Patrick Cwayna. It takes a lot of pride, sacrifice, and teamwork to qualify for this prestigious award. I ask all of my colleagues to join me in saluting everyone involved in helping East Grand Rapids achieve this remarkable honor. I also wish continued academic and overall success for everyone associated with this school.

REGARDING THE TRAGEDY AT
THE TEXAS AGGIE BONFIRE OF
TEXAS A&M UNIVERSITY

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. BARTON of Texas. Mr. Speaker, I speak today with great sadness about a tragedy which happened early this morning at Texas A&M University. A great tradition that all Aggies hold very dear—Texas Aggie Bonfire—collapsed, killing at least six people and injuring as many as 25. My thoughts and prayers are with the parents who lost children, and the students who lost friends. Texas A&M is a family, and today the Aggie Family is in shock, grieving for our dead and injured students.

For those of you who have not ever heard of Texas A&M Bonfire, it is one of the most cherished Aggie traditions. Traditions are very important at Texas A&M. The bonfire tradition revolves around building and burning the world's largest bonfire. In past years, it has soared over 100 feet high and burned all night. This year's bonfire was scheduled to be over 60 feet high and burn until after midnight.

Aggie Bonfire has been a tradition at Texas A&M since 1909 when they used it to stay warm during the "Yell Practice" on the night before the annual A&M-Texas football game. The bonfire represents everything Aggies are about: hard work, unity, dedication, and loyalty. It also represents a burning desire for A&M to defeat the Longhorn football team.

Several thousand members of the student body contribute in one way or another to building bonfire. When I was a freshman at Texas A&M, I participated in Bonfire by going out to "cut". The "cut" area is selected a few months before the football game against t.u. Areas are selected that need to be cleared for construction and then the work begins. The entire bonfire is built the "Aggie" way. Trees are cut down by hand, they are lifted and carried out of the woods on shoulders, they are loaded onto trucks by hand, unloaded by hand, stacked by hand and wired into stack by hand. In my sophomore year, I was "promoted" to the stack area and helped erect the actual bonfire.

It is often said that if other schools had a tradition like this they would probably contract it out to the lowest bidder and then all show up just to watch it burn, but not the Aggies. Not only do we do it all ourselves but we do it the hard way. The building of bonfire builds character. The hard work and sacrifice of time teaches a good work ethic that is not soon forgotten.

What does it mean to be a Texas Aggie? A&M is a special place. Values are taught both in the classroom and out of the classroom. Aggies live our traditions and cherish them, and pass them onto their children. I have three children, two have graduated from A&M and my youngest daughter will enter A&M next Fall. In spite of the tragedy that has occurred, it is my hope that Bonfire continues in the great spirit in which it embodies, and that my daughter Kristin will help build it in years to come.

TEAR DOWN THE USTI WALL;
DROP THE CHARGES AGAINST
ONDREJ GINA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. SMITH of New Jersey. Mr. Speaker, in recent weeks, we have seen a number of historic dates come and go, with appropriate commemoration. November 9, for example, marked the tenth anniversary since the fall of the Berlin Wall. Yesterday, November 17, is recognized as the commencement of the Velvet Revolution which unleashed the forces of democracy against the totalitarian regime in Czechoslovakia. To mark that occasion, George Bush, Margaret Thatcher, Mikhail Gorbachev and other former leaders from the day met with President Vaclav Havel in Prague.

Beyond the symbolism of those dates, they have had other meaning. Many of us had hoped that the wall in Usti nad Labem, Czech Republic—a symbol of racism—would be brought down on the anniversary of the fall of the Berlin Wall. Regrettably, November 9, came and went, and the Usti Wall still stood.

We had hoped that the Usti Wall would come down on November 17. Some Czech officials even hinted this would be the case. Regrettably, November 17 has come and gone, and the Usti Wall still stands.

Now, I understand some say the Usti Wall should come down before the European Union summit in Helsinki—scheduled for December 6. Mr. Speaker, the Usti Wall should never have been built, and it should come down now, today. As President Reagan exhorted Mr. Gorbachev more than ten years ago, so I will call on Czech leaders today:

Tear down the Usti Wall.

Last fall, a delegation from the Council of Europe visited Usti nad Labem. Afterwards, the Chairwoman of the Council's Specialist Group on Roma, Josephine Verspaget, held a press conference in Prague when she called the plans to build the Usti Wall "a step towards apartheid." Subsequently, the United States delegation to the OSCE's annual human rights meeting in Warsaw publicly echoed those views.

Since the construction of the Usti Wall, this sentiment has been voiced, in even stronger terms, by Ondrej Gina, a well-known Romani activist in the Czech Republic. He is now being prosecuted by officials in his home town of Rokycany, who object to Gina's criticisms. The criminal charges against Mr. Gina include slander, assault on a public official, and incitement to racial hatred. In short, Mr. Gina is being persecuted because public officials in Rokycany do not like his controversial opinions. They object to Mr. Gina's also using the word "apartheid."

I can certainly understand that the word "apartheid" makes people feel uncomfortable. It is an ugly word describing an ugly practice. At the same time, if the offended officials want to increase their comfort level, it seems to me that tearing down the Usti Wall—not prosecuting Ondrej Gina—would be a more sensible way to achieve that goal. As it stands, Mr. Gina faces criminal charges because he exercised his freedom of expression. If he is convicted, he will become an international

cause célèbre. If he goes to jail under these charges, he will be a prisoner of conscience.

Mr. Speaker, it is not unusual for discussions of racial issues in the United States to become heated. These are important, complex, difficult issues, and people often feel passionate about them. But prosecuting people for their views on race relations cannot advance the dialogue we seek to have. With a view to that dialogue, as difficult as it may be, I hope officials in Rokycany will drop their efforts to prosecute Mr. Gina.

RESIDENTIAL LOAN SERVICING CLARIFICATION ACT

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. ROYCE. Mr. Speaker, the legislation I am introducing today addresses a technical problem that residential loan servicers have encountered in complying with the federal Fair Debt Collection Practices Act ("FDCPA"). Creditors collecting their own debts are already exempt from the FDCPA, which is aimed at regulating the practices of independent debt collectors. When a residential loan servicer acquires a servicing portfolio, it is generally exempt from the FDCPA under the creditor exemption. However, a question arises when loans in a portfolio are delinquent at the time they are acquired, since the creditor exemption does not apply to debts that were "in default" at the time the servicer acquired them. This limitation to the creditor exemption has created considerable uncertainty in the mortgage servicing industry. In order to avoid possible liability, many loan servicers have been attempting to comply with the FDCPA by applying it to every loan, whether it was delinquent or not, when they acquired the servicing rights.

The disclosures required of debt collectors under the FDCPA, however, create particular difficulties for residential mortgage loan servicers. In addition to its substantive anti-abuse protections for the debtors, the FDCPA requires a debt collector to notify the borrower in the initial written or oral communication with the borrower that it is attempting to collect a debt and that any information obtained will be used for that purpose (the so-called "Miranda" warning), requires in each subsequent communication to indicate that the communication is from a debt collector, and requires that the debt collector provide a written debt validation notice within five days after the initial communication, which allows the borrower to dispute all or any portion of the debt within 30 days. The debt validation provisions also create additional complexity for servicing activities due to restrictions or making any "collection" efforts during the thirty day validation period. These informational requirements dictate that the loans subject to the FDCPA must get different communications from the servicer throughout their maturity, and thus require that the loans be identified and specially designated, creating additional costs without any additional protections or benefits provided to the borrowers.

Moreover, consumers are not well-served when the servicer feels compelled to make the FDCPA's disclosures. Residential mortgage

loan servicers are generally not true debt collectors even if they may be deemed to be a "debt collector" under the FDCPA with respect to a small percentage of their loans. A separate set of rules in the Real Estate Settlement Procedures Act requires servicers of first lien loans to provide notices related to the borrower's right when servicing is transferred. The special FDCPA notices may convey the misleading impression that the loan has been referred to a traditional, independent debt collector, when, in fact, all that has happened is that the servicing rights have been transferred from one servicer to another—often as part of a larger portfolio of performing loans.

As an alternative to following the special procedural requirements of the FDCPA, some servicers decline to accept any delinquent loans. When an acquiring loan servicer takes this approach, the perverse result may be that the holder of the servicing rights who no longer wishes to service these loans may subject these delinquent loans to more aggressive collection action than would otherwise take place if the acquiring servicer had been willing to accept those loans.

The legislation I am proposing here today is intended to address the problems created when the FDCPA's procedural requirements are applied to residential mortgage loan servicers. The legislation would apply only to first lien residential mortgage loans that are acquired by bona fide loan servicers, not professional debt collectors. It would exempt them only from the "Miranda" notice and the debt validation provisions of the FDCPA.

Importantly, all of the substantive protections under the FDCPA would continue to apply to any loan as to which the servicer is not exempt as a creditor. These provisions will allow residential mortgage loan servicers to treat the few loans subject to the FDCPA in the same way they treat all other loans and will thus reduce unnecessary administrative costs incurred identifying and separately handling these accounts. In addition, once a servicer is considered a "debt collector" under the FDCPA, the borrower would have a right to request a "validation statement"—a statement of the amount necessary to bring the loan current and to pay off the loan in full as of a particular date.

I think it is also important to note that this proposed legislative clarification has the full support of the Federal Trade Commission, the agency with enforcement jurisdiction over the FDCPA. As a matter of fact, the FTC has consistently gone on record in its Annual Report to Congress as supporting legislative clarification in this area. The FTC's 21st Annual Report to Congress provides as follows:

Section 803 (6) of the FDCPA sets forth a number of specific exemptions from the law, one of which is collection activity by a party that "concerns a debt which was not in default at the time it was obtained by such a person." The exemption was designed to avoid application of the FDCPA to mortgage servicing companies, whose business is accepting and recording payments on current debts. (March 19, 1999 Report)

The report then goes on to make specific recommendations to Congress:

The Commission believes that Section 803 (6)(F)(iii) was designed to exempt only businesses whose collection of delinquent debts is secondary to their function of servicing current accounts. . . . Therefore, the Commission

recommends that Congress amend this exemption so that its applicability will depend upon the nature of the overall business conducted by the party to be exempted rather than the status of individual obligations when the party obtained them.

I am pleased that several of my colleagues on the House Banking and Financial Services Committee, namely Reps. JACK METCALF (WA) and WALTER JONES (NC), are also sponsoring what I hope will be bipartisan legislation to clarify the FDCPA as it applies to residential loan servicers. Mr. Speaker, I hope we can move early in the next session to address this issue in both Committee and on the House floor.

IN MEMORY OF WILLIE J. COTTON, JR.

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. ETHERIDGE. Mr. Speaker, I rise today in honor of the grandfather of Bailey Cotton, Seth Cotton, Emma Cotton, Justin Sloan, Matthew Evans and Leslie Evans; the father of Betty Evans, June Sloane and Dwight Cotton and the husband of Iris Lee Cotton. I rise in honor of Mr. Willie J. Cotton, Jr. who passed away on October 27.

Mr. Cotton was a native of Harnett County, North Carolina. He was a past county commissioner and served Harnett County in office for 12 years. Mr. Cotton served our country in World War II and was a lifelong member of Kipling United Methodist Church.

As North Carolina's former Superintendent of public education, I know what a battle it is to build quality schools for our children. Improving schools for our children is my life's work. Mr. Cotton took this battle on as a county commissioner to build better schools in Harnett County. There aren't many times that a person in public service takes a stand for the good of future generations that can cost them their political career. He knew he could lose but he voted anyway, and children in my home county have been in modern facilities since 1975. My own children and the children of Harnett county owe thanks to a man most of them never knew.

That is why, Mr. Speaker, I stand here today: To honor Mr. Cotton and to pay my respects to his family and my debt of gratitude. We have lost a great man, and I am proud to continue his fight for better schools for our children.

THE SMALL BUSINESS FRANCHISE ACT

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. McKEON. Mr. Speaker, I am a recent cosponsor of H.R. 3308, the Small Business Franchise Act introduced by Representative HOWARD COBLE. Today, I include for the RECORD testimony from a recent Judiciary Commercial and Administrative Law Subcommittee hearing on this legislation. During

this hearing a constituent of mine, Patrick Leddy, testified about his dealings as a franchise owner. Because of his very moving testimony, I became a cosponsor of this legislation. I wish to thank him for his words and include them in the RECORD today.

STATEMENT OF PATRICK JAMES LEDDY, JR.

My name is Patrick James Leddy Jr. I have owned and operated a Baskin-Robbins 31 Flavors franchise in Newhall, California since August 1, 1986, a total of 13 years. I am also a 26 year veteran firefighter with the Los Angeles City Fire Department. I purchased my franchised business to supplement my income, and to prepare my wife and I for our retirement. In 1996 my wife and I became very discouraged with the manner in which our Franchisor, which is a wholly owned subsidiary of a foreign corporation, was treating its franchisees. After careful consideration and after seeing sales at our fellow franchisee's stores plummet as a result of the placement of new stores and drastic changes to the system which we had originally purchased, we decided to sell our store.

In February of 1997, three months after notifying Baskin-Robbins that we were interested in selling our store, we received a notification that Baskin-Robbins was considering a location for a new store located in a shopping mall, a mere two miles from my store and well within the market from which we draw a large number of our customers.

Later that month my wife and I met with our district manager to discuss our ability to sell our store and the tremendous impact the new store would have on our existing store. To our surprise the representative from Baskin-Robbins agreed with us, and suggested that if Baskin-Robbins were to go forward with this plan, how would we feel if they were to purchase our store, and then sell both our store and the new store as a package to a new buyer? We agreed that this would be acceptable to us. Whereafter, the Baskin-Robbins representative offered us \$40,000 dollars less than what I had paid for this store seven years earlier, and after an additional \$70,000 dollars I paid for improvements which were required by Baskin-Robbins. We were appalled at this offer, but were advised by the Baskin-Robbins representative that we really should consider his offer, because if Baskin-Robbins does elect to place this new store at the proposed location, our store wouldn't even be worth that amount.

Thereafter in April of 1997, and pursuant to an internal policy of Baskin-Robbins, and which is rarely followed by the company, I submitted to my district manager my response to this Baskin-Robbins proposed new location. He assured me that he would notify me of any developments as they occur, and that we would be notified promptly, once a determination had been made.

In June of 1997, after several unsuccessful attempts to learn whether Baskin-Robbins would proceed with the new store my wife called our district manager and explained to him that we needed immediate information on what the company intends to do about this new site, because we have had several prospective buyers for our store that were disinterested once we disclosed to them Baskin-Robbins plan. The Baskin-Robbins representative advised us not to disclose the information about the new store to our prospective buyers.

In July of 1997, our local neighborhood magazine publications reported that a new Baskin-Robbins would be open two miles from our store. We were shocked. Two days after this news story appeared, and after numerous telephone calls to Baskin-Robbins on our part, we finally received official notification from Baskin-Robbins about the new store.

We later learned that Baskin-Robbins signed the lease for this new store on May 13, 1997.

On August 5, 1997, after the underhandedness that we had felt from Baskin-Robbins, my wife and I decided that in our best interest we should retain legal representation to help us resolve the matter with Baskin-Robbins regarding the encroachment issue and the subsequent issue of our inability to sell our store.

In June of 1998 the new store opened, with their grand opening celebration following in August. As you can see on the enclosed charts, sales at our store have drastically declined as a result, and have effectively terminated our ability to sell the store at a reasonable price.

While attempting to resolve matters through our attorney, Baskin-Robbins has become increasingly hostile towards us. They have begun arbitrarily rating us as "C" franchisees, when in the past, we had always maintained an "A" or "B" rating. In addition, they have brought against us a lawsuit, contending that we were poor operators. One week before the inspection that is the basis for their lawsuit however, a mystery shopper trained and employed by Baskin-Robbins rated our operation superior, as did the LA county Health Inspector.

In closing, I would ask your full support in addressing the obvious imbalance in the relationship between franchisor and franchisee through legislation. I am one Franchisee of many that are so frustrated in the way that we are literally forced to do business. Many franchisees I now that have lost their businesses, are going to lose their businesses, or are just plain hanging in there because there's nothing else they can do. I am extremely fortunate that I have another profession to fall back onto, while others suffer from intimidation, or being afraid to stand up and say anything, for fear that they will be strong-armed into submission, as Baskin-Robbins has attempted to do me. Please give us the tools that we need to survive in this giant corporate world, so that us little guys can continue making those big guys who they are. Thank you.

IN MEMORY OF TIM DONOHUE,
LONG TIME CONGRESSIONAL
STAFFER

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mrs. MALONEY of New York. Mr. Speaker, I rise to pay tribute to Timothy Leo Donohue, a long time employee of the House of Representatives who passed away on November 11, 1999. Tim loved politics, government service and the House of Representatives where he worked for more than twenty years.

Tim was usually in the Speakers Gallery, helping to control access to the Floor. Generally assigned to the Democratic side, Tim understood that just because our work is important does not mean it must be cheerless. Always there with a warm smile and a good word, Tim made us all feel good about ourselves and our work. Tim was the consummate professional. He took his job seriously without taking himself too seriously. When questioned about his ability to recall names and faces, he joked "After you have memorized the faces of 435 white males the rest is easy."

Prior to his service with the Doorkeeper, Tim worked for Congressman Charlie Wilson and Senators LEAHY and Cranston. His last service on the Hill was with Congressman BARNEY FRANK.

Tim was a deeply spiritual person, who had studied for the priesthood before deciding to devote himself to public service. In making this choice, Tim was motivated by the belief that public service was the best way for him to serve God and country.

Tim was also a gay activist who served that community in a number of ways. He devoted countless hours to "Food and Friends" a charitable group dedicated to easing the suffering of those afflicted with AIDS and to gay political groups, especially ActUp.

Tim also encouraged a number of gay writers. Tim is quoted in Michelangelo Signorile's "Queer in America" on the role of gays in Government. While some were arguing about the risk posed by gays in the military, Tim presents images of gays who love their country and choose government service. Without "naming names," Tim helped correct the historic record to point out the important role played by gay staffers in Congress.

As a proud liberal who loved his country, Tim sacrificed a high position as an energy company lobbyist because he questioned Interior Secretary James Watt's statement that America was divided between "liberals and Americans."

Today, we mourn the passing of a loyal and hardworking staffer. Like many others who work in this House, Tim sacrificed high pay and other benefits to serve his country. He appreciated that the worth of a man is not measured in how much he earns but in how much he contributed to the common good. This House and our country suffered a loss when Tim Donohue left this world.

ARTHUR SZYK: ARTIST FOR FREEDOM

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. LANTOS. Mr. Speaker, Arthur Szyk is considered by many scholars to be the greatest illuminator who worked in the twentieth century in the style of sixteenth-century miniature painters. The Times of London described his Haggadah as "worthy to be placed among the most beautiful of books that the hand of man has produced." He is indeed one of the most remarkable and talented artists of this century. Arthur Szyk's works on George Washington and the American Revolution hung in the White House during the administration of Franklin Delano Roosevelt, and these works are now on display at the Roosevelt Presidential Library at Hyde Park, New York. In recognition of his talent and commitment, the U.S. Congress presented Arthur Szyk the George Washington Bicentennial Medal in 1934.

Mr. Speaker, Arthur Szyk was not just an artist, he was an artist with a point of view, and he used his art to speak out for freedom and democratic values. He was the leading political artist in America during World War II, and he wielded his pen and his brush as a sword in the fight against Nazi Germany and

Imperial Japan. During the war, his caricatures and cartoons appeared on the front covers of many of America's leading magazines—Colliers, Esquire, Time—where his graphic political editorials and brilliant parodies lampooned the Nazi and Axis leaders. His art seethed with mockery and scorn for the Fascist dictators. First Lady Eleanor Roosevelt called Szyk a "one-man army against Hitler." As Szyk himself said, "Art is not my aim, it is my means."

In addition to his art advancing the fight against Germany and Japan, he used his art to attack racism, bigotry and inhumanity at all levels. He sought to close the gaps between Blacks and Whites, between Jews and non-Jews. He defended the rights of the soldier, and he expressed sympathy and compassion for the victims and refugees of war-torn Europe.

Mr. Speaker, Arthur Szyk was born in Lodz Poland in 1894. He came to the United States in 1940 sent here by the Polish government-in-exile and by the government of Great Britain with a mission to bring the face of the war in Europe to the American public. That he did with great skill and vision. He remained in the United States, became an American citizen, and died in New York City in 1951.

Mr. Speaker, I wish to call the attention of my colleagues to an excellent exhibit of the work of Arthur Szyk which will open in just a few days. The exhibit "Arthur Szyk: Artist for Freedom" will be on display in the Swann Gallery of the Jefferson Building of the Library of Congress from December 9, 1999 through May 6, 2000. I urge my colleagues to visit this exhibit, which is literally across the street from this Chamber. Arthur Szyk is one of the great artists of this century, and his art not only reflected and helped to define a critical period in the history of our nation, his art also helped to rally Americans in the fight for freedom and against brutal tyranny during World War II.

TRIBUTE TO RALPH "POP" STRICKLIN

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a true friend and truly great Arkansan, Ralph "Pop" Stricklin.

Pop, who celebrated his 80th birthday last month, has helped make Jonesboro, Arkansas, the great place that it is today. When he wasn't working in the electric and refrigeration business, a career he began in 1936, Pop served his country and his community in so many ways. He served his country in the U.S. Army from 1941-46. For 36 years, he served as the Alderman of Jonesboro, working under five mayors. He also worked with the Fair Board for 15 years and was a valued and faithful employee to Arkansas State University for 20 years.

Pop is a VFW life member, DAV life member, a member of the American Legion; the Boy Scouts; Salvation Army Board; the Elks; Kiwanis, where he has had 36 years of perfect attendance; a board member of the First Methodist Church; and a member of the Jaycees "Old Rooster, after 35 age group," to name a few. He has also served on several

committees including the police, street, parks, fire, cemetery, animal control, planning and inspection, electrical examining board, and other committees where he made a difference and always contributed to the city of Jonesboro and the state of Arkansas. Pop has received the key to the city of Jonesboro and has a day named after him because of his work.

He has also worked to improve the lives of young people as an active member of the male-youth organization Order of DeMolays, where he was "State DeMolay Dad," or "Pop" as we now call him.

Pop Stricklin exemplifies what it is to be a great citizen and a great American. He has always worked hard to make his community a better place to live, work, and raise a family. Our community is a better place because of his presence. He is someone you can always count on and I am proud to call Pop Stricklin my friend.

INTRODUCTION OF CONCURRENT RESOLUTION TO DEDICATE BUDGET SURPLUS FUNDS TO PROTECT FEDERALLY HELD AMERICAN INDIAN TRUST FUND ACCOUNTS

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today to introduce a House Concurrent Resolution calling for Congress to dedicate a portion of the budget surplus to fulfill the moral and legal responsibilities of the United States by ensuring proper payment and management of all federally held tribal trust fund accounts and individual Indian money accounts.

Since 1820, the United States has held monies in trust for American Indians. At first for Indian Tribes and later for individual Indians as well. Funds mostly derived from the lease or sale of trust lands and other resource assets including timber stumpage, royalties from oil, gas and coal development, and agriculture fees are added to these trust fund accounts. Currently, the Bureau of Indian Affairs (BIA), which is charged with maintaining the accounts, controls approximately 390,000 individual Indian money accounts (IIM), and 1,500 tribal accounts. Each year over \$1 billion passes through these accounts.

The historical and legal record demonstrates that the U.S. government has failed miserably at its fiduciary responsibility to manage these accounts. Horror stories include years of royalty checks being stuffed in desk drawers instead of deposited, and piles of documents thrown away, destroyed or lost. Reams of reports by Congressional investigators, spanning several Administrations, document the often careless and incompetent manner in which these accounts have been managed. Beginning in 1991 Congress funded BIA to reconcile the accounts but after 5 years and \$21 million we were told that volumes of documentation of transactions and investments simply no longer exist.

As far back as the Reagan administration, the Indian Trust Funds were listed as one of the top federal financial liabilities. Currently, a class action suit of Individual Indian Money

(IIM) account holders is pending in federal court and the BIA is working to ensure that similar accounting problems do not occur in the future.

In the meantime, I am deeply concerned that Congress is paying inadequate attention to the very substantial financial debt the federal government owes to Native American account holders. In particular, in making sweeping decisions about allocation of the budget surplus, it is essential that we reserve sufficient funds to ensure our ability to meet our fiduciary responsibilities to Indian tribes and individuals.

These are real debts we owe to fellow American citizens; just as we cannot spend the surplus needed for Social Security and Medicare solvency, so, too, must we reserve sufficient amounts to meet our obligations to the Indian Trust Funds.

My House Concurrent Resolution calls upon the Congress to fulfill our moral and legal obligations to Native Americans by reserving adequate funds to address the problem. I will push for swift consideration and approval of this legislation and urge all my colleagues to join me in supporting this important resolution.

TRIBUTE TO CARL AND JUDY RUDD

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. PORTMAN. Mr. Speaker, I rise today to pay tribute to a family in the district I represent that has brightened the holiday season for generation of Southwest Ohioans.

For the last 30 years, Carl and Judy Rudd have put on a remarkable Christmas display at their farm near Blue Creek, Ohio. Rudds' Christmas Farm is the largest free outdoor Christmas display in the state of Ohio, with over one mile of pathways covering two hill-sides on the farm property. With more than one million lights and a 62-foot-wide Christmas wreath, Rudds' Christmas Farm is truly a sight to behold. And the overall effect is complemented by the sound of Christmas music echoing from the hills.

The Rudds started their Christmas display as a testimony to their deep and abiding Christmas faith. Throughout the farm, there are life-sized religious figures, paintings and slide projections that tell the story of Christmas. They have never asked a penny for admission, and for many years they would take out a loan to finance the display.

This year, Carl and Judy Rudd will welcome the public to their wonderful Christmas Farm for the last time. They have decided that the time has come to retire after organizing their Christmas display for 30 years.

All of us in Southwest Ohio wish to share our appreciation to Carl and Judy Rudd for the Christmas joy they have brought to entire generations. And we wish them the best for a healthy and enjoyable retirement.

INTRODUCTION OF THE INTERNATIONAL MONETARY STABILITY ACT OF 2000

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. RYAN of Wisconsin. Mr. Speaker, today I am introducing the International Monetary Stability Act of 2000. This bill would give countries who have been seriously considering using the U.S. dollar as their national currency the incentive to do so. When a foreign country grants the U.S. dollar legal tender in place of its own currency, that country dollarizes. This bill would serve to encourage such dollarization.

Up to this point, the United States has been missing one of the best opportunities to correct chaotic currency markets, especially in the Western Hemisphere. Sound currency policies, such as dollarization, that focus on exchange rate stabilization would put an end to the debilitating and periodic collapse of developing countries caused by haphazard devaluation.

Congressional leadership in exchange rate policies would protect our own economy. Every devaluation affects our economy through international trade and through the equity markets. American companies need reliable currencies to make investment decisions abroad; and American workers need to know countries cannot competitively devalue in an effort to lower foreign worker wages. The ramifications of an Asian-style economic collapse in Latin America, our own back yard, call for legislation that will help these countries embrace consistent economic growth.

Today, several countries are already considering dollarization. They realize that by either linking with the U.S. dollar, legalizing competing foreign currencies, or scrapping their currency altogether and replacing it with the dollar, they will encourage long-term economic stability through lower interest rates, stable exchange rates and increased investment.

Official dollarization, such as is encouraged by this bill, is not a new idea. In fact, it is becoming an increasingly popular answer to currency stabilization in emerging markets. Argentina is seriously considering such a currency reform. Mexico, Ecuador, and El Salvador have also considered dollarization.

Enacting this legislation would set up a structure in which the U.S. Treasury would have the discretion to promote official dollarization in emerging market countries by offering to rebate 85 percent of the resulting increase in U.S. seigniorage earnings. Part of the remaining 15 percent would be distributed to countries like Panama that have already dollarized, but the majority of the 15 percent would be deposited at the Treasury Department as government revenue. Additionally, this bill would make it clear that the United States has no obligation to serve as a lender of last resort to dollarized countries, consider their economic conditions in setting monetary policy or supervise their banks.

I strongly believe that strengthening global economies, especially those in the Western Hemisphere, by encouraging dollarization is in America's best interest.

RECOGNIZING LEXMARK INTERNATIONAL'S EXCELLENCE IN ENVIRONMENTAL PROTECTION

HON. ERNIE FLETCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. FLETCHER. Mr. Speaker, I would like to commend Lexmark International, an excellent corporate constituent headquartered in my District, that embodies the entrepreneurial spirit as well as the environmental consciousness required by a global corporation.

Lexmark received the Kentucky Governor's Environmental Excellence Award on November 9, presented by Lt. Gov. Steve Henry and James E. Bickford, Secretary of the Natural Resources and Environmental Protection Cabinet, at the Governor's Conference on the Environment.

Lexmark International was selected to receive this year's Environmental Excellence Award for Industrial Environmental Leadership because of the many steps it has taken to prevent pollution and encourage recycling. Since 1991, Lexmark has increased the amount of materials it recycles by about 70 percent. Last year, this Lexington-based company recycled more than 4.3 million pounds of paper and one million pounds of scrap metal.

Lexmark encourages its customers to recycle by offering them an incentive to return their empty laser printer cartridges through its Prebate program. Since the incentive began, Lexmark says that returns of empty toner cartridges have tripled, saving them from ending up in landfills.

As we recognize America Recycles Day this week, I urge my colleagues and our constituents to help encourage environmental protection both at home and at work. I offer my congratulations to Lexmark International for setting such a positive example for others to replicate.

COURAGE

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. SANDERS. Mr. Speaker, I am inserting this statement regarding my constituent, Gordon D. Ladd, which shows the courage and perseverance he displayed in organizing the first union in northern Vermont in the 1940s, into the CONGRESSIONAL RECORD as I believe the views of this person will benefit my colleagues.

GORDON D. LADD—FIRST PRESIDENT OF IAM LODGE IN DERBY LINE VERMONT ORGANIZING A UNION IN VERMONT IN THE 1940'S

In 1943 I requested an interview with the superintendent of management at Butterfield Corporation in Derby Line Vermont to request a wage increase and my request was denied emphatically. I informed him that I would return.

I met a friend of mine who used to be a coach, a hockey coach, and he had relatives in the plant. This guy I met, Bert, you could call him, he was a machinist for the railroad in Island Pond, and he belonged to the machinist's union. So he asked if we had a union up there and what the wages were. We

were good friends, he was coach for a long time, but anyway, I told him that wages were very low at my workplace, and he said "Well, do you think they would be interested in the union?". I said "Well, yeah I'll talk to a few." So, I did.

When I went up to see the boss that first time he asked me what I was making. I told him "65 cents an hour". I had started at 45 cents and worked three years—I got a 10 cent raise each year. And it was 65 cents, and he, ah, he's a rough little character, he slammed his fists down on his desk and he says "by god," he says, "that's the highest we will ever pay at this plant". So then I got up and said "We'll see about that, and I'll be back."

So now I went to the shop, talked to several guys, they were all interested, all enthused about it, and said they would support a union. So then I get back to Burt at Island Pond, and told him to send us up a representative. It was then less than a week and the Machinist representative had arrived from Albany, New York. And he talked to me, he came to the house a few times, and then we called a meeting, and, more and more, one meeting after another, at first it was a small amount, a few men, but then they got bigger and bigger crowds.

Management of course fought us tooth and nail. Well, one thing I can remember in particular. The general foreman, he was under the superintendent, he was putting something on the union representative's car, on the front end of it, come to find out, spikes on a rope. And he was seen doing that, and we called him on it, but he denied it of course. You see they hit just right and they could blow the tires.

They did little annoying things. They'd send us one of these, what we'd call suckers down, always coming down and talking to me, trying to find out things, you know. I just told them I knew nothing. Another one of these superintendents came down one day and says "We know you're the head of the union," and I said "I've got a perfectly good right to according to the laws". And he didn't have too much more to say.

We also learned that the company had hired an electrician for the purpose of organizing against the union, see he was a company plant. So he got up and threw a scare, said that if we had a union we would lose our bonus, a 10% bonus every six months. So that killed the first drive right there, see. And they tried every little trick, they sent the people down that I knew, they'd come down and fish around, try to get information from me. Then they called me, offered me 10 cents an hour more, if I'd stop the union organizing. "We'll give you 10 cents an hour raise, but I want you to keep it quiet, I don't want you to tell anybody." Then they'd say, "If you tell me the guys that are dissatisfied in the shop, give me their names, we'd give them 15 cents an hour more." And I said "Just a minute, if everybody gets 15 cents and hour we'll go along with it, but other than that," I said, "no way". You can pick out a few, that would just start trouble.

So then we call the meeting, the machinist's union, and we get a hall and call the meeting, and that was the one where we lost the election the first time.

I don't remember the exact vote total but it was close. But then comes the good part. We later learned that the company sent down foremen and group leaders and had them vote too. But the fact is they shouldn't have been able to vote because they were management. They even sent down 3 or 4 women down from the office to vote, and the vote was for production workers and these were office workers. They shouldn't have been able to vote either but management wanted more to go in the ballot box.

So we petitioned for another election. And once again during the vote the company

starting sending down foremen and group leaders to vote. But this time our union representative said no way. The Labor Board Representative was there and we challenged the right of these supervisory men to vote. The Board Representative put those votes, I think there were 26 of them, in a special envelope. This time we won the election by a pretty good margin. That was in 1944.

Another little thing here. I was in a barber shop and the big shot manager from the venier mill came in. My barber was my landlord, we were renting the house, and he asked me something about the union. And this management guy from the mill, he says "That union" and he used a few cuss-words "won't last six months!" Well it's a 55 year later and the union's still there. But the funny part is, in about a year and a half, they plopped the union in at the venier mill.

Well, the main thing at my plant was wages, because plants in the state, we checked around a little bit and some of the plants were paying, at that time, double what we were getting. We checked around, because some of the guys, neighbors in Newport were working down in the Springfield machine shops, at places like Jones-Lampson. When we heard what they were getting, we thought "Well, we should be getting about the same."

I was elected as the first president of the union lodge in 1944 and served for seven years. We did pretty good with improving wages and getting benefits—we got health insurance, a pension plan. I've collected from the pension plan for 19 years now, and we got pretty good medical. We didn't have either before the union. It definitely pays to be union.

A BAD WEEK FOR ISOLATIONISTS

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. OXLEY. Mr. Speaker, for those who might have missed it, I would like to bring to the attention of my colleagues a piece by David Ignatius from Wednesday's Washington Post.

As a strong supporter of free trade, I share Mr. Ignatius's optimism at the agreement reached earlier this week for China to join the World Trade Organization. As foreign trade becomes increasingly important in the developing global economy, we must work to ensure open access to the emerging Chinese markets, especially in the areas of financial services and telecommunications. This agreement will give that access to American companies. I salute Trade Representative Barshefsky on her hard work at achieving this agreement under difficult circumstances.

I also agree with Mr. Ignatius's view that the agreement does not go far enough. As a member of the congressional delegation to the WTO Ministerial in Seattle later this month, I will work to restore some of the more favorable aspects of the agreement rejected by the President in April.

I commend Mr. Ignatius's article to my colleagues' attention.

[From the Washington Post, Nov. 17, 1999]

A BAD WEEK FOR ISOLATIONISTS

If you believe that international engagement is America's best hope for the future, then this is a week to savor. For beyond the

headlines, you can see the possibility for a restoration of the confident, outward-looking U.S. consensus that our history teaches is a requirement for global peace and prosperity.

The cornerstone of this renewed embrace of America's global role is the deal reached early Monday in Beijing for China to join the World Trade Organization. President Clinton let this agreement slip away last April, because of fears about the anti-international know-nothingism that seemed to have infected Congress. That was one of the biggest mistakes of his presidency, and he has commendably been trying ever since to walk it back.

The deal Clinton got Monday isn't quite as good as the one he backed away from before, but it's good enough. What's better is the new confidence among free traders that they can win the political argument, on Capitol Hill and around the country.

Treasury Secretary Lawrence Summers puts the case for the WTO deal simply and starkly: Twice in this century, changes in the economic balance of power have led to wars—first with the rise of Germany before World War I and later with the rise of Japan. Now the world economic order is changing once again, with the emergence of Beijing as an economic superpower. It is overwhelmingly in America's interest to draw this modernizing China into the global economic system.

Americans who are confident about the world-changing power of our capitalism and democracy will welcome the agreement. China will now have to live by the free-market rules of the WTO. It will have to accept international investments in its major industries, including banking and telecommunications; it will have to abide by international arbitration of its trade disputes; it will have to accept the Internet and its instantaneous access to information. If you can devise a better strategy for subverting Communist rule in China, I'd like to hear it.

What makes the anti-WTO camp so nervous? It must be the fact that we're living in a time of economic upheaval. As the global economy becomes more competitive, the rewards for success become greater, and so do the penalties for failure. Optimists embrace this future, while pessimists seek protection from it.

Fear of the future: That's the shared characteristic of the new anti-internationalists—from Pat Buchanan on the right to AFL-CIO president John Sweeney on the left. They seem to believe that every new job in China will mean one less in America. Thank goodness economics doesn't work that way. The evidence is overwhelming that global prosperity creates new markets, new demand—and more prosperity for all of us.

That doesn't mean that there won't be losers—there will be and the U.S. textile industry and some blue-collar traders will undoubtedly be among them. But in macro terms, this is a pie that gets bigger, a game where two sides can win.

The administration's most articulate champion for this kind of internationalism is Summers. And it must be said that the new Treasury Secretary is cleaning up some of the unfinished business left by his predecessor, Robert Rubin.

Summers helped rescue the WTO agreement with a trip last month to Beijing, where he met with Zhu Rongji, the Chinese prime minister. Summers told him that "we wanted a deal, but it would have to be on commercial terms. . . . We would both have to make concessions on percentage points." Thanks to hard bargaining by U.S. trade negotiator Charlene Barshefsky, that's essentially what happened.

This week brought other signs of renewed political support for a pragmatic internationalism. The administration cut a deal with House Republicans that will allow the United States to pay nearly \$1 billion in back dues to the United Nations, in exchange for a ban on funding any international organization that promotes abortion.

Summers has worked hard to include debt relief for the world's poorest nations as part of the U.N. funding deal, and his mostly succeeded. Wealthy lenders will take a hit under this agreement, while poverty-stricken nations will get a break. That sounds like the right kind of bargain.

Another step in the internationalist revival could come next month when Summers pitches European nations to accept some new rules for the International Monetary Fund. He'll urge that the IMF support either tough fixed exchange-rate plans or genuinely free floating rates—but not the muddled in-between schemes that have gotten so many countries in trouble. And in light of the recent Russian fiasco, he may argue that countries should accept outside audits as a condition of receiving IMF funds.

Some Americans still believe that "IMF," "free trade" and "WTO" are dirty words—symbols of an elitist conspiracy that will harm ordinary Americans. This view is dangerously wrong, and it was good to see it losing ground this week.

CELEBRATING THE LIFE OF MR. LAURIE CARLSON

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Ms. BALDWIN. Mr. Speaker, I rise to honor and commend the life of Mr. Laurie Carlson and to extend my personal sympathies to his family and friends in his passing. Mr. Laurie Carlson worked to enhance the lives of many citizens of Wisconsin over the years. He was the founder of the Wisconsin Progressive Party in 1934 and was elected to the Wisconsin State Assembly in 1936, where he served for three terms. He then continued his life of dedication to public service as the Clerk of Courts for Dane County for another four terms.

Mr. Carlson's simple message and instructions on, "How to get the Voters Involved" is one that I deeply respect and identify with. In this message he spoke of town meetings and always maintaining a strong personal connection to constituents. Upon reflection on his time in public service Mr. Carlson was quoted as saying, "Shoe leather is cheap. We would go out and meet people. We would get ideas from them." He also believed that a strong focus on the issues, as well as on true bipartisanship would help Wisconsin and the Nation move forward.

Mr. Carlson's political achievements were numerous and great, but there was also much more to this wonderful man. He was a devoted husband and proud father of four children. His commitment to his wife Helen and his children—Mary, Jay, Laurene, and Geraldine, was first and foremost in his life. Mr. Carlson was also a dedicated friend and community member. He tirelessly worked to share his knowledge and leadership in order to as-

sist others to become successful. He empowered many people to prosper in business and countless other ventures while always maintaining his commitment to those less fortunate in our society.

Mr. Speaker, I ask you and my colleagues to honor this fine gentleman for his life commitment to public service.

RECOGNITION OF THE UKRAINIAN FAMINE OF 1932

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. BONIOR. Mr. Speaker, the Ukrainian famine of 1932–33 stands as one of the most tragic events of this century. Millions of Ukrainian men, women and children starved to death in one of the cruelest acts of inhumanity ever recorded.

The rich and productive soil of Ukraine once fed the world. Ukraine was known then as the breadbasket of Europe. It was inconceivable that in 1932 peasants would be forced to scavenge in harvested fields for food and that their diets would be reduced to nothing but potatoes, beets and pumpkins. Instead of planting seeds for the next crop, peasant were reduced to feeding those seeds to their children. As a result, little grain was harvested for the next crop, and the situation grew worse.

Peasants began leaving Ukraine, trying to search for food in Russia and other neighboring territories, but they were turned back.

Soon, millions began to starve to death.

As many as ten million people may have died in this famine. That's fully one-quarter of the people in rural Ukraine. The Kremlin was starving the people of Ukraine to death because Josef Stalin and the Soviet dictators wanted to avoid mass resistance to collectivization. So they killed the peasants—slowly, deliberately and diabolically through mass starvation.

The West did little at the time to put an end to the man-made famine. They continued to buy grain at cheap prices from Russia, taking more food away from the Ukrainian people.

We should never forget this tragedy. Today we honor the memory of the millions of victims. And we support the efforts of the people of Ukraine, who were subjected to the famine and to decades of oppressive Soviet rule, as they continue on their path to democracy, respect for human rights, and economic progress.

Mr. Speaker, I urge my colleagues to support this important resolution and stand together with the people of Ukraine.

H.R. 3446, SURFACE TRANSPORTATION BOARD REFORM ACT OF 1999

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. OBERSTAR. Mr. Speaker, I am introducing today H.R. 3446, the Surface Transportation Board Reform Act of 1999.

The Surface Transportation Board has been a troubled agency since its creation at the end of 1995.

First, the Board approved a huge merger between the Union Pacific and Southern Pacific railroads. Shippers were promised dramatically improved service. Instead, a year later, they got the biggest rail service meltdown in history. Two years later, the service crisis is over, but there are precious few signs that shippers are getting better service. Clearly, however, they are getting fewer choices and less competition.

Last year, the Board approved another huge restructuring of the industry when it allowed Conrail to be divided between Norfolk Southern and CSX. After spending a year planning the transaction so as to minimize adverse consequences, the transaction became effective on June 1st, and service almost instantly collapsed. While service in some areas has recovered, many shippers still cannot move their goods and are losing business to their competitors because they had the bad luck to be served by Norfolk Southern and CSX.

Clearly, the Board has failed to analyze rail transactions adequately to avoid these service disasters. Because of the reduced competition that has resulted from these mergers, the Board needs to provide more aggressive support to shippers who come to the Board for relief from high rates and poor service. This bill directs the Board to move in that direction. Shippers also need more competitive options without having to go to the Board. The bill's provisions on bottlenecks, terminal access, and reciprocal switching would allow shippers to avoid the adverse effects of mergers by getting more competitive service without seeking rate relief from the Board.

Second, the Board has continued the established policy of its predecessor in allowing railroads to abrogate their collective bargaining agreements as a "reward" for undergoing a merger. For 63 years, from 1920 to 1983, the Interstate Commerce Commission held to the sensible view that the rather vague language in its statute did not entitle railroads to walk away from their signed contracts. In 1983, the Reagan-era ICC voted to ignore its precedents and adopt a new interpretation that was totally at variance with Congressional intent and sound policy. The Board appointed by the current Administration, rather than return to the sensible precedents of the past, has followed the misguided policy adopted by its immediate predecessors. Instead of using the discretion that the statute gives them, the Board has written to the Congress and invited us to change the statute to save us from themselves, and prevent them from continuing to pursue this regressive policy.

This bill is a first step in that direction.

Title I of this bill proposes a series of measures to enhance rail competition. It clarifies the Rail Transportation Policy to make clear that competition is the "primary objective" to be pursued by the Board. It corrects the Board's "bottleneck" decision, which says that, even if a railroad monopolizes only part of the route along which a shipper wishes to transport a shipment, it can effectively monopolize the whole route, because the railroad can refuse to offer to ship along only part of the route.

The bill also makes it easier to secure competing rail service in terminal areas, and by reciprocal switching.

It codifies the one recent decision by the Board that has benefited shippers, namely the December 1998 decision on "product" and "geographic" competition.

It ends the ludicrous annual charade in which the Board examines the books of railroads that are raising billions of dollars in the capital markets and concludes that they are earning inadequate revenues.

It provides relief for small captive grain shippers by reducing the fees they must pay to protest rate and simplifying the process of determining a rate to be unreasonable. It also provides them with some assurance that they will be able to get enough cars to move out their grain each year.

The bill also requires submission of monthly service quality performance reports by the railroads, so the Board can do a better job of monitoring the industry's performance.

The bill's labor provisions in Title II end any authority of the Board to abrogate collective bargaining agreements, or to authorize a railroad or anyone else to do so. The bill strictly limits the preemption of other laws that is allowed in connection with railroads mergers, restricting this preemption to State and local laws that regulate mergers, and restricting this preemption in time to one year after the railroad takes possession of the acquired property.

The bill also clarifies the status of labor protection for railroad employers. The current statute confusingly defines labor protection in terms of the labor protection once received by Amtrak employees, whose statutory labor protection was taken away by the 1997 Amtrak reauthorization bill. Today's bill makes clear that railroad employees receive six years of labor protection if they are laid off as the result of a merger. While employees in other industries are not given labor protection like this, employees in other industries are entitled to strike if they cannot reach agreement with their employer on a contract. Since World War II, railroad employees have been denied the right to strike by repeated congressional interventions every time a strike is threatened. It is only fair, if employees are not entitled to strike, that they at least be compensated if they lose their jobs as the result of a merger.

Title III of the bill has several other significant provisions. The bill corrects an historical oversight by giving commuter railroads the same access to freight railroad rights-of-way that Amtrak has. When Amtrak was created in 1971, the Nation's private railroads were relieved of their common carrier obligation to provide passenger service—both intercity and commuter service. In return for being relieved of this common carrier obligation, the railroads were required to provide Amtrak with guaranteed access to their rights-of-way, but, in an oversight, the Nation's commuter railroads—which provide equally essential passenger service—were not given the same guaranteed access. This bill corrects that oversight by giving commuter railroads the same guaranteed access that Amtrak has.

The bill also gives special consideration to local communities and to passenger railroads in the Board's merger decisions. The Board has often given short shrift to the legitimate concerns of these parties in approving mergers, and has not imposed conditions that are necessary to protect their legitimate interests.

The bill also corrects an anomaly that was inserted in the statute by the 1995 ICC Termination Act. That bill preempted the authority of states to regulate the construction or abandonment of "spur, industrial, team, switching, or side tracks," but it did not give corresponding

authority to the Surface Transportation Board. The result was a regulatory black hole, where such facilities could be built or abandoned without regulation either by local zoning regulations or by Federal environmental regulations. If these facilities were only minor railroad spurs, this would perhaps be acceptable, but the term "switching tracks" has been interpreted by the Board to include railroad yards occupying hundreds of acres. Not only can the railroads built these yards without any regulatory interference, they can also use their eminent domain authority to force landowners to sell them the land. This provision should never have been in the statute, and this bill repeals it, giving regulatory jurisdiction to the STB.

The bill also eliminates tariff filing for water carriers in the domestic offshore trades serving Alaska, Hawaii, Puerto Rico, and Guam. These carriers are directed to make their tariffs available electronically, just as water carriers in the U.S. foreign trades were in the Ocean Shipping Reform Act.

Finally, the bill reauthorizes the STB for three years, from fiscal year 2000 to fiscal year 2002, with authorized appropriations rising from \$17 million in FY 2000 to \$25 million in FY 2002. In view of its inability to respond promptly to shipper rate protests (documented in a GAO report earlier this year) and its inability to oversee the results of its merger decisions, the Board clearly needs additional resources. We can only hope that this bill will be enacted and that the Board will use these resources effectively.

COMMEMORATING THE WORK OF GENERATION EARTH

HON. LUCILE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Ms. ROYBAL-ALLARD. Mr. Speaker, it gives me great pleasure to come to the floor of the House to recognize the Los Angeles County Department of Public Works for its Generation Earth Program.

Generation Earth is an environmental program of the Los Angeles County Department of Public Works and presented by TreePeople. The program educates and empowers secondary school students in Los Angeles county to be an active part of the solution to minimize use of landfill space and understand their role in reducing pollutants from entering our waterways by proper disposal methods. Through a hands-on approach, students learn that the local environment is part of their everyday life, and that everyday decisions, choices and actions make a difference to the health of our environment.

TreePeople, is one of Los Angeles' oldest and most successful locally based nonprofit environmental education group. Since 1996, it has worked under the direction of the County of Los Angeles Department of Public Works Environmental Programs Division to create Generation Earth, the state's most effective secondary school environmental education program.

Generation Earth is a highly successful program with measurable milestones backed by research reviewed by educational experts. The classroom curriculum was designed to fit any

academic discipline. It meets the curriculum objectives of language arts classes, math, science, social studies and history.

By providing opportunities for young people to improve their quality of life and challenge them as they apply lessons learned in school, Generation Earth is an important catalyst for the people of Los Angeles. Thanks to Generation Earth, Los Angeles County teenagers are beginning to learn that they can make a positive difference in their surroundings.

I hope my colleagues will join me in commending Generation Earth for its leadership in developing a successful comprehensive approach to environmental education.

RECOGNIZING THE PARTICIPATION OF MS. JOANNA MANUEL IN THE VOICES AGAINST VIOLENCE CON- GRESSIONAL TEEN CONFERENCE

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. UNDERWOOD. Mr. Speaker, last month, 342 teenagers from throughout the country came to Capitol Hill to attend the Voices Against Violence Conference regarding youth violence. During the two days, the teenagers had unique opportunities to express their views on youth violence to Members, learn from national law enforcement and youth programming experts, and participate in workshops covering a variety of issues including diversity training, peer mediation, and hate crime prevention strategies. Supporting agencies and organizations included the U.S. Department of Justice, the National Crime Prevention Council, the American Mental Health Association, MTV, and the Children's Defense Fund.

I felt it was important for a young person from Guam to participate in this conference to ensure that the diversity of perspectives of youth violence included teens from the furthest American jurisdiction. I was proud that Ms. Joanna Manuel, a sophomore attending Simon Sanchez High School, was Guam's representative to the conference. During her visit, Joanna gained practical knowledge about violence prevention initiatives and helped to explore the causes, needs and solutions to the problems of youth violence which continues to impact our society. Joanna proved to be a valuable contributor and an able spokesperson for Guam's youth.

The two day conference resulted in the introduction of House Resolution 357, which represents the views of the 342 conference participants and provides their collective views of the causes and solutions to youth violence. The measure was introduced by Democratic Leader RICHARD A. GEPHARDT, myself, and 94 other co-sponsors.

I am hopeful that Joanna will continue to be involved in the issue of youth violence and help raise community awareness and activity. It is evident from the outcome of the Voices Against Violence conference, that we can look to America's youth for solutions and guidance to understand why violence happens and what we can do to avert it.

For the record, I am submitting an essay written by Ms. Joanne Manuel giving her views on the causes of violence among teenagers.

WHAT DO YOU FEEL ARE THE CAUSES OF VIOLENCE AMONG TEENAGERS TODAY?

As anyone who listens to the radio, watches television, or reads the newspaper knows, violence has become a cause for nationwide and worldwide concern. Of particular concern is the alarming increase in violence among children and youth. The rates of youth-initiated violent crimes are rising dramatically, as are the numbers of young victims. Many teens are pressured into doing things they don't want to do. One of the hardest parts of growing up, is the same today as it has been for years, peer pressure. It is a part of every teenager's junior and high school years. Some peer pressure is actually quite good in working towards developing a teen's recognition of right and wrong. Negative peer pressure, the kind we most commonly associate with the concept, can be devastatingly corruptive. Positive and negative pressure are two totally different things. Positive pressure includes encouragement to try out for the school play, or challenges to study harder. Negative peer pressure includes encouragement to use drugs, to smoke, or other things that harm. Positive pressure has many benefits such as helping teenagers develop a sense of morality. Part of being a teen involves learning to make decisions. One of the things that affects decision-making is pressure from friends. Teens should make decisions based on their own morals and values. Daily, teens are persuaded to participate in activities that statistics report may harm their well-being. These activities include: smoking, drinking, using drugs, having premarital sex, and even cheating on schoolwork. Many teens are pressured into taking drugs and smoking by "friends." Teens today need to learn to make their own decisions and say no to drugs, smoking, and other things they know can harm them. Our communities and schools have to work together to help prevent negative peer pressure between teenagers. There are many other things that cause violence among teens today. Troubled teens are gradually increasing these days and many are caused by problems stemming from home. Counseling is a great way to find the problem and solve it before other problems arise. While I was in middle school, we had a peer counseling system. Students who needed help or just needed someone to talk to would go to the counselor's office and fellow students would talk and lend a helping hand. It was a great system and it worked. I think that the government should set aside some money to establish and maintain this type of system in every school in the nation and maybe even worldwide. We all have to work together to make a brighter future for all of us and the generations to come.

FREEDOM OF THE PRESS SLIPPING IN HONG KONG

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. PORTER. Mr. Speaker, I am greatly concerned over the growing reports from Hong Kong that freedom of the press is increasingly at risk under Chinese rule. When Hong Kong was turned over to China in July of 1997, it was to become one country but remain two systems. Unfortunately, after less than two and a half years, we are already seeing example after example of Beijing's power and its communist values being exhibited throughout Hong Kong and imposed on the citizenry.

The most recent example of this clampdown was the abrupt reassignment of the well-respected, outspoken director of the government owned Radio/Television Hong Kong, Cheung Man-yeet last month. Ms. Cheung was named economic and trade representative to Japan, a post equivalent to that of ambassador. This action took place just days after she drew a rare public rebuke from the Chinese Deputy Prime Minister, Qian Qichen. Recently, the station had also aired a senior Taiwanese official seeking to explain President Lee Teng-hui's shift in policy toward China.

The Hong Kong government is becoming increasingly critical of all local media. Statements from the chief of executive of Hong Kong, Tung Chee-hwa such as "while is freedom of speech is important, it is also important for government policies to be positively presented," show the direction in which freedom of the press is headed.

This "reassignment" of a qualified journalist is a scary first step. The international community must stand up and take notice when the slipping away of a vital freedom begins. The freedom of the press is the cornerstone of a strong democracy. If Hong Kong loses its free press, I have great fear for what is next.

THE TRUE GOAL OF EDUCATION

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. TALENT. Mr. Speaker, I insert the following eloquent speech entitled "the True Goal of Education" into the CONGRESSIONAL RECORD.

THE TRUE GOAL OF EDUCATION

(By Gov. George W. Bush)

It is a pleasure to be here, and to join in marking the chamber's Business Appreciation Month. New Hampshire is a state of small businesses. Many of them here in the north country are prospering, and this organization has played an important part. I am honored by your invitation.

I am an optimist, I believe that the next century will be a time of incredible prosperity—if we can create an environment where entrepreneurs like you can dream and flourish. A prosperity sustained by low taxes, unleashed by lighter regulation, energized by new technologies, expanded by free trade. A prosperity beyond all our expectations, but within our grasp.

But this hope, in the long-run, depends directly on the education of our children—on young men and women with the skills and character to succeed. So for the past few months, I have focused on the problems and promise of our public schools.

In September, I talked about disadvantaged children left behind by failed schools. The diminished hopes of our current system are sad and serious—the soft bigotry of low expectations. Schools that do not teach and will not change must have some final point of accountability. A moment of truth, when their federal funds, intended to help the poorest children, are divided up and given to parents—for tutoring or a charter school or some other hopeful option.

Last month, I talked about raising the academic ambitions of every public school in America—creating a culture of achievement. My plan lifts the burden of bureaucracy, and gives states unprecedented freedom in spending federal education dollars. In return for

this flexibility, each state must adopt a system of real accountability and high standards. Students must be tested on the basics of reading and math each year—and those results posted, by school, on the Internet. This will give parents the information to know if education is actually taking place—and the leverage to demand reform.

My education proposals are bound by a thread of principle. The federal government must be humble enough to stay out of the day-to-day operation of local schools. It must be wise enough to give states and school districts more authority and freedom. And it must be strong enough to require proven performance in return. The federal role in education is to foster excellence and challenge failure with charters and choice. The federal role in education is not to serve the system. It is to serve the children.

Yet this is only part of an agenda. Yes, we want our children to be smart and successful. But even more, we want them to be good and kind and decent. Yes, our children must learn how to make a living. But even more, they must learn how to live, and what to love. "Intelligence is not enough," said Martin Luther King, Jr. "Intelligence plus character—that is the true goal of education."

So today, here in New Hampshire, I want to make the case for moral education. Teaching is more than training, and learning is more than literacy. Our children must be educated in reading and writing—but also in right and wrong.

Of course, every generation worries about the next. "Children today are tyrants," said one educator. "They contradict their parents, gobble their food, and tyrannize their teachers." And that teacher's name was . . . Socrates.

Some things don't change. The real problem comes, not when children challenge the rules, but when adults won't defend the rules. And for about three decades, many American schools surrendered this role. Values were "clarified," not taught. Students were given moral puzzles, not moral guidance. But morality is not a cafeteria of personal choices—with every choice equally right and equally arbitrary, like picking a flavor of ice cream. We do not shape our own morality. It is morality that shapes our lives.

Take an example. A Massachusetts teacher—a devoted supporter of values clarification—had a sixth grade class which announced that it valued cheating, and wanted the freedom to express that value during tests. Her response? "I personally value honesty," she said. "Although you may choose to be dishonest, I will insist that we be honest on our tests here. In other areas of your life, you may have to be dishonest."

This is not moral neutrality. It is moral surrender. Our schools should not cultivate confusion. They must cultivate conscience.

In spite of conflicting signals—and in spite of a popular culture that sometimes drowns their innocence—most of our kids are good kids. Large numbers do volunteer work. Nearly all believe in God, and most practice their faith. Teen pregnancy and violence are actually going down. Across America, under a program called True Love Waits, nearly a million teens have pledged themselves to abstain from sex until marriage. Our teenagers feel the pressures of complex times, but also the upward pull of a better nature. They deserve our love and they deserve our encouragement.

And sometimes they show character and courage beyond measure. When a gun is aimed at a seventeen-year-old in Colorado—and she is shot for refusing to betray her Lord. When a seventeen-year-old student, during a madman's attack on a Fort Worth church, is shot while shielding a friend with

Downs Syndrome—and continues to comfort her, even after her own injury. We are finding, in the midst of tragedy, that our children can be heroes too.

Yet something is lost when the moral message of schools is mixed and muddled. Many children catch a virus of apathy and cynicism. They lose the ability to make confident judgments—viewing all matters of right and wrong as a matter of opinion. Something becomes frozen within them—a capacity for indignation and empathy. You can see it in shrugged shoulders. You can hear it in the watchword of a generation: "Whatever."

Academics like Professor Robert Simon report seeing many students—nice, well-intentioned young men and women—who refuse to make judgments even about the Holocaust. "Of course I dislike the Nazis," he quotes a student, "but who is to say they are morally wrong?"

At the extreme, in the case of a very few children—lawless, loveless and lonely—this confusion can harden into self-destruction or evil, suicide or violence. They find no elevating ideals—from parents or church or school—to counter the chaos in their souls. "We laugh at honor," said C.S. Lewis, "and are shocked to find traitors in our midst."

But something is changing in this country. Perhaps we have been sobered by tragedy. Perhaps the Baby Boom generation has won some wisdom from its failures and pain. But we are no longer laughing at honor. "Values clarification" seems like a passing superstition. Many states have instituted real character education in their schools, and many more are headed in that direction. After decades of drift, we are beginning a journey of renewal.

Above all, we are relearning a sense of idealism for our children. Parents and teachers are rediscovering a great calling and a heavy burden: to write on the slate of souls.

We must tell our children—with conviction and confidence—that the authors of the Holocaust were evil men, and the authors of the Constitution were good ones. That the right to life, liberty and the pursuit of happiness is not a personal opinion, but an eternal truth.

And we must tell our children—with clarity and certainty—that character gives direction to their gifts and dignity to their lives. That life is too grand and important to be wasted on whims and wants, on getting and keeping. That selfishness is a dark dungeon. That bigotry disfigures the heart. That they were made for better things and higher goals.

The shape of our society, the fate of our country, depends on young men and women who know these things. And we must teach them.

I know this begins with parents. And I know that is easy for a politician to say. Mark Twain once commented, "To do good is noble. To instruct others in doing good is just as noble, and much easier." But the message of our society must be clear. When a man or woman has a child, being a father or mother becomes their most important job in life. Not all teachers are parents, but all parents are teachers. Family is the first school of manners and morals. And the compass of conscience is usually the gift of a caring parent.

Yet parents should expect schools to be allies in the moral education of children. The lessons of the home must be reinforced by the standards of the school—standards of safety, discipline and decency.

Effective character education should not just be an hour a week on a school's virtue of the month. Effective character education is fostered in schools that have confidence in their own rules and values. Schools that set limits, enforce boundaries, teach high ideals,

create habits of good conduct. Children take the values of the adult worlds seriously when adults take those values seriously.

And this goal sets an agenda for our nation.

First, we must do everything in our power to ensure the safety of our children. When children and teenagers go to school afraid of being bullied, or beaten, or worse, it is the ultimate betrayal of adult responsibility. It communicates the victory of moral chaos.

In an American school year there are more than 4,000 rapes or cases of sexual battery; 7,000 robberies; and 11,000 physical attacks involving a weapon. And these are overall numbers. For children attending inner-city schools, the likelihood of being a victim of violence is roughly five times greater than elsewhere. It is a sign of the times that the same security company used by the U.S. Mint and the FBI has now branched out into high-school security.

Surveying this scene, it is easy to forget that there is actually a federal program designed to confront school violence. It's called the Safe and Drug-Free Schools and Communities Act. The program spends about \$600 million dollars a year, assisting 97 percent of the nation's school districts.

What's missing from the program is accountability. Nobody really knows how the money is spent, much less whether it is doing any good. One newspaper found that federal money had gone to pay for everything from motivational speakers to clowns to school puppet shows to junkets for school administrators.

As president, I will propose major changes in this program. Every school getting this funding will report their results—measured in student safety. Those results will be public. At schools that are persistently dangerous, students will be given a transfer to some other school—a safe school.

No parent in America—no matter their income—should be forced to send their child to a school where violence reigns. No child in America—regardless of background—should be forced to risk their lives in order to learn.

In the same way, it is a federal crime for a student to bring a gun into any public school. Yet this law has been almost completely ignored by federal prosecutors in recent years. Of some 3,900 violations reported between 1997 and 1998, only 13 were prosecuted. It is easy to propose laws. Sometimes it is easy to pass laws. But the measure of our seriousness is enforcing the law. And the safety of our children merits more than lip service.

Here is what I'll do. We will form a new partnership of the federal government and states—called Project Sentry. With some additional funding for prosecutors and the ATF, we can enforce the law and prosecute the violators: students who use guns illegally or bring guns to school, and adults who provide them. And for any juvenile found guilty of a serious gun offense, there will be a lifetime ban on carrying or purchasing a gun—any gun, for any reason, at any age, ever.

Tougher enforcement of gun laws will help to make our schools safer. But safety is not the only goal here. The excellence of a school is not just measured by declines in robbery, murder, and aggravated assault. Safety is the first and urgent step toward a second order of business—instilling in all of our public schools the virtues of discipline.

More than half of secondary-school teachers across the country say they have been threatened, or shouted at, or verbally abused by students. A teacher in Los Angeles describes her job as "nine-tenths policeman, one-tenth educational." And many schools, intimidated by the threat of lawsuits, have watered down their standards of behavior. In

Oklahoma, a student who stabbed a principal with a nail was suspended for three days. In North Carolina, a student who broke her teacher's arm was suspended for only two days.

In too many cases, adults are in authority, but they are not in control.

To their credit, many schools are trying to reassert that control—only to find themselves in court. Generations of movies from *The Blackboard Jungle* to *Stand and Deliver* cast as their hero the teacher who dares to bring discipline to the classroom. But a modern version of this drama would have to include a new figure in the story—the lawyer.

Thirty-one percent of all high schools have faced lawsuits or out-of-court settlements in the past 2 years. This is seriously deterring discipline, and demands a serious response.

In school districts receiving federal school safety funds, we will expect a policy of zero-tolerance for persistently disruptive behavior. This means simply that teachers will have the authority to remove from their classroom any student who persists in being violent or unruly. Only with the teacher's consent will these students be allowed to return. The days of timid pleading and bargaining and legal haggling with disruptive students must be over. Learning must no longer be held hostage to the brazen behavior of a few.

Along with this measure, I will propose a Teacher Protection Act to free teachers, principals and school board members from meritless federal lawsuits when they enforce reasonable rules. School officials, acting in their official duties, must be shielded from liability. A lifetime dedicated to teaching must not be disrupted by a junk lawsuit. We do not need tort lawyers scouring the halls of our schools—turning every classroom dispute into a treasure hunt for damage awards.

Safety and discipline are essential. But when we dream for our children, we dream with higher goals. We want them to love learning. And we want them to be rich in character and blessed in ideals.

So our third goal is to encourage clear instruction in right and wrong. We want our schools to care about the character of our children.

I am not talking about schools promoting a particular set of religious beliefs. Strong values are shared by good people of different faiths, of varied backgrounds.

I am talking about communicating the values we share, in all our diversity. Respect. Responsibility. Self-restraint. Family commitment. Civic duty. Fairness. Compassion. The moral landmarks that guide a successful life.

There are a number of good programs around the country that show how values can be taught in a diverse nation. At St. Leonard's Elementary School in Maryland, children take a pledge each morning to be "respectful, responsible and ready to learn." Character education is a theme throughout the curriculum—in writing, social studies and reading. And discipline referrals were down by 70 percent in one year. At Marion Intermediate school in South Carolina, virtues are taught by studying great historical figures and characters in literature.

Consideration is encouraged, good manners are expected. And discipline referrals are down by half in one year.

The federal government now spends \$8 million on promoting character education efforts. My administration will triple that funding—money for states to train teachers and incorporate character lessons into daily coursework.

We will require federal youth and juvenile justice programs to incorporate an element of character building.

Our government must get its priorities straight when it comes to the character of

our children. Right now, the Department of Health and Human Services spends far more on teen contraception than it does on teen abstinence. It takes the jaded view that children are nothing more than the sum of their drives, with no higher goal than hanging out and hooking up. We owe them better than this—and they are better than this. They ask for bread, and we give them a stone.

Abstinence programs show real promise—exactly because more and more teenagers understand that true love waits. My administration will elevate abstinence education from an afterthought to an urgent goal. We should spend at least as much each year on promoting the conscience of our children as we do on providing them with contraception.

As well, we will encourage and expand the role of charities in after-school programs. Everyone agrees there is a problem in these empty, unsupervised hours after school. But those hours should not only be filled with sports and play, they should include lessons in responsibility and character. The federal government already funds afterschool programs. But charities and faith-based organizations are prevented from participating. In my administration they will be invited to participate. Big Brothers/Big Sisters, the YMCA and local churches and synagogues and mosques should be a central part of voluntary, after-school programs.

Schools must never impose religion—but they must not oppose religion either. And the federal government should not be an enemy of voluntary expressions of faith by students.

Religious groups have a right to meet before and after school. Students have a right to say grace before meals, read their Bibles, wear Stars of David and crosses, and discuss religion with other willing students. Students have a right to express religious ideas in art and homework.

Public schools that forbid these forms of religious expression are confused. But more than that, they are rejecting some of the best and finest influences on young lives. It is noble when a young mind finds meaning and wisdom in the Talmud or Koran. It is good and hopeful when young men and women ask themselves what would Jesus do.

The measure of our nation's greatness has never been affluence or influence—rising stocks or advancing armies. It has always been found in citizens of character and compassion. And so many of our problems as a nation—from drugs, to deadly diseases, to crime—are not the result of chance, but of choice. They will only be solved by a transformation of the heart and will. This is why a hopeful and decent future is found in hopeful and decent children.

That hope, of course, is not created by an Executive Order or an Act of Congress. I strongly believe our schools should reinforce good character. I know that our laws will always reflect a moral vision. But there are limits to law, set at the boundaries of the heart. It has been said: "Men can make good laws, but laws can not make men good."

Yet a president has a broader influence and a deeper legacy than the programs he proposes. He is more than a bookkeeper or an engineer of policy. A president is the most visible symbol of a political system that Lincoln called "the last best hope of earth." The presidency, said Franklin Roosevelt, is "pre-eminently a place of moral leadership."

That is an awesome charge. It is the most sobering part of a decision to run for president. And it is a charge I plan to keep.

After power vanishes and pride passes, this is what remains: The promises we kept. The oath we fulfilled. The example we set. The honor we earned.

This is true of a president or a parent. Of a governor or a teacher. We are united in a

common task: to give our children a spirit of moral courage. This is not a search for scapegoats—it is a call to conscience. It is not a hopeless task—it is the power and privilege of every generation. Every individual can change a corner of our culture. And every child is a new beginning.

In all the confusion and controversy of our time, there is still one answer for our children. An answer as current as the headlines. An answer as old as the scriptures. "Whatever is true, whatever is honorable, whatever is right, whatever is pure, whatever is lovely, whatever is of good repute, if there is any excellence and anything worthy of praise, let your mind dwell on these things."

If we love our children, this is the path of duty—and the way of hope. Thank you.

RECOGNIZING ALZHEIMER'S AWARENESS MONTH

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. MARKEY. Mr. Speaker, November is Alzheimer's Awareness Month—This month we recognize the 4 million Americans victimized by this devastating disease and the family members who are most often their primary caregivers.

Alzheimer's Disease is debilitating, indiscriminate and cruel—it creeps into the brain, captures the mind and renders its victims with impaired judgment, personality change and loss of language and communication skills.

Today, Alzheimer's is on track to wreak havoc as the epidemic of the next century burdening our nation's health care system and leaving millions of American families in emotional and financial ruin. It is predicted that by 2050, 14 million Americans will be afflicted. We need a strategy today.

As part of this strategy, we must recognize that there are thousands of spouses and other family members struggling to provide care for their loved ones in their homes each year. Seven in ten people with Alzheimer's disease live at home. Almost 75% of home care is provided by family and friends placing a tremendous emotional burden on these caregivers and a financial burden averaging \$12,500 per at home patient.

Each year, Alzheimer's costs our nation at least \$100 billion and American business \$33 billion, most of that in the lost work of employees who are caregivers.

It is imperative that we increase the federal commitment to this disease. We must create new programs to relieve caregivers and we must continue our work toward treatment and a cure. Last year the federal government dedicated \$400 million to Alzheimer's research, but that's still not enough—the federal commitment to heart, cancer and AIDS research—diseases of comparable cost to our country—is 3 to 5 times higher. Next fiscal year we must increase research dollars for Alzheimer's by \$100 million.

Last June—in an effort to encourage legislative solutions to deal with Alzheimer's—I along with my colleague from across the aisle CHRIS SMITH—kicked off the first bipartisan Task Force on Alzheimer's Disease. To date we have 82 members with a goal of reaching 100 by 2000.

The time has come to wage a serious war against Alzheimer's disease. The time has

come to fight for solutions to improve the lives of those affected today and to fight for a cure to save the lives of those who will be affected tomorrow.

CHRISTIAN FAMILY HACKED TO DEATH—RELIGIOUS PERSECUTION CONTINUES IN INDIA—AMERICA MUST SUPPORT FREEDOM FOR KHALISTAN

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. BURTON of Indiana. Mr. Speaker, the Indian Express reported on November 12, 1999 that a Christian family was hacked to death in Jamshedpur. The attackers stormed the house of 35 year-old Santan Kerai, dragging Mr. Kerai, his wife, their two year-old child, and a relative out of the house to murder them. Finally, the mutilated bodies of the Kerai family "were found on a football field about 100 yards from their house," according to the article. The newspaper does not identify the assailants, but the attack is part of the ongoing pattern of repression of Christians in India today.

I have been deeply concerned about recent reports of Hindu activists raping and terrorizing nuns. A nun named Sister Ruby was abducted by Hindu fundamentalists, who stripped her naked and forced her to drink their bodily fluids. They threatened to rape her if she refused.

Earlier this year, Australian missionary Graham Staines and his two young sons were burned alive by members of the Bajrang Dal, which is the youth arm of the openly Fascist organization called Rashteria Swayamsewak Sangh (RSS). The ruling BJP, which leads India's 24-party governing coalition, is the political arm of the RSS.

Since Christmas Day of 1998, Hindu fundamentalists have burned down Christian churches, prayer halls, and schools. Four priests have been murdered, some of them beheaded.

Christians have not been the only target of persecution in India. Sikhs and Muslims are routinely beaten, tortured, and murdered by these radical groups or even Indian security forces.

Mr. Speaker, India is neither secular, nor is it democratic. It is clear that there is no place for religious, linguistic, or ethnic minorities in India. So, it is no wonder that there are seven-teen freedom movements in India.

I call on the President to press the Government of India on the issues of human rights and self-determination when he visits the sub-continent next year. If the United States will not speak out for freedom in the world, who will? If we don't press these issues today, when will we? We must do whatever we can to bring freedom to all the people of India.

Mr. Speaker, I would like to place the Indian Express article into the RECORD

[From the Indian Express, Nov. 12, 1999]

CHRISTIAN FAMILY HACKED TO DEATH

JAMSHEDPUR—Four members of a tribal Christian family have been hacked to death by some unidentified people at Peteripa village of west Singhbhum district.

Police said some people had stormed the house of one Santan Kerai (35) at midnight on Wednesday.

The assailant pulled him, his wife and their two-year old child besides one female relative out of the house and killed them with sharp weapons.

The mutilated bodies of Santan, his wife and the child were found on a football ground, about 100 meter away from their house. PTI report.

NONDISCRIMINATORY RETRANSMISSION CONSENT IN H.R. 1554

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. TAUZIN. Mr. Speaker, as a conferee appointed to H.R. 1554, and as a proponent of competition, I deliberated long and hard to promote increased consumer choice in the video marketplace by strengthening the competitive position of satellite carriers as they go head to head with incumbent cable operators; however, they are not the only competitors in the evolving video marketplace.

Since enactment of the 1996 Telecommunications Act, cable over-builders have acquired franchises all across the country and have begun to operate traditional wireline systems. In addition to these familiar distribution systems, several new digital wireless cable systems, which use microwave frequencies to transmit programming, also offer consumers a competitive alternative.

Although incumbent cable systems still dominate the video distribution market, satellite carriers continue to gain market share and, with the advent of local into local, will see even greater consumer interest in their product.

Unfortunately, the newer entrants—the over builders and the digital wireless providers—still face some pretty stiff obstacles in their efforts to penetrate this market. The single most significant hurdle they face is access to popular programming at fair prices. This issue has long-term significance for video competition and my subcommittee will continue to study this important problem. However, in the short-term, these new competitors are running into serious retransmission consent problems that prevent them from expanding as fast as they would like and that unnecessarily deprive consumers of an alternative choice.

When attempting to renegotiate retransmission consent contracts, these new competitors are told they must take other programming services they do not want. Too frequently, they are told they must purchase a "bundle" of programming that includes the broadcast signal they want, but also includes programming in which the broadcaster or his affiliated network has a financial interest. As you might expect, "bundles" of programming cost a lot more than a single broadcast signal, and they take up valuable channel space that the new entrants would prefer to use for other programming—programming they choose to carry, not programming they are forced to carry.

The bottom line is that these "tying" arrangements are not optional, they are forced on these new entrants as the quid pro quo for obtaining retransmission consent; impose higher programming costs on new entrants that put them at a competitive disadvantage vis a vis established players in the market;

and take up valuable channel space which, in the case of wireless operators, is limited to the spectrum space available.

If our efforts to increase consumer choice are to succeed, we must go beyond what we have been able to accomplish in H.R. 1554.

I ask my colleagues to join me in a pledge to reopen the debate about nondiscriminatory retransmission consent and agree to study this matter further to see what additional steps we can take to strengthen the competitive position of all new entrants into the video marketplace. If we succeed, consumers will enjoy lower prices, better service quality and more choice.

IN HONOR OF MAYOR-ELECT
JENNIE STULTZ

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mrs. MYRICK. Mr. Speaker, today I rise in honor of Mayor-elect Jennie Stultz as she prepares to become the first female mayor of Gastonia, North Carolina, in its 122-year history. Her candidacy galvanized middle-aged women and young moms who, local studies indicated, felt disenfranchised in the last municipal elections.

Her campaign to improve the image of the city, which once was chosen as an All American City, resounded with her fellow citizens. I applaud her efforts to promote the City of Gastonia as the friendly, progressive and All American City that she and I know it to be.

Jennie Stultz has dedicated 20 years of her life as a community activist and volunteer. She served as Administrator of Gastonia Clean City, then as Community Relations Director from 1982 to 1997.

She gave of her time and services on numerous civic boards, including the House of Mercy, which assists those with terminal illnesses; the Governor's Council for Children and Youth; and has just completed a term as Chairperson of the Board of Directors of the Gaston Literacy Council, Inc.

Her father, Elmore Thomas, who was stationed overseas during World War II, wrote in a letter dated July 23, 1944: "When I get back, I might run for mayor of Gastonia. At least, all the boys in the unit say I should."

I commend Jennie Stultz for carrying on that tradition of service to community and nation for which her father fought and for realizing a long, unfulfilled family dream.

My fellow colleagues, I ask that you join me in saluting a woman who exemplifies the spirit of optimism for the future and the pride of community that prevails in this land. May her tenure bring continued prosperity and pride to the people of Gastonia, North Carolina.

25TH ANNIVERSARY OF THE JOHN
H. HARLAND COMPANY DALLAS-
AREA FACILITY

HON. RICHARD K. ARMEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. ARMEY. Mr. Speaker, I rise today to congratulate the John H. Harland Company's Dallas-area Facility on its 25th Anniversary.

The John H. Harland Company is the second largest check printer in the United States and the leading provider of database marketing to financial institutions. Founded in 1923, the John H. Harland Company opened its Dallas facility in 1974. Today, this facility employs 320 people and processes 112,000 orders per week. In April 1997, John H.

Harland Company moved into the 26th Congressional District, opening a 83,000 square foot facility in Grapevine, Texas.

Harland's recent move to a regional network of nine production facilities has brought additional work into the Grapevine facility and has contributed to the local economy. It also improves the quality of the company's services

and offers greater economic security for its employees and their families.

I offer my sincere congratulations to the employees of this facility and to the John H. Harland Company on this momentous occasion.